

DOCUMENTARY HISTORY

OF

EDUCATION

IN UPPER CANADA

(ONTARIO)



1831-1836

MEMORANDUM.

This Documentary History is printed as one of the Appendices to the Report of the Honourable the Minister of Education for 1894. Copies of this Appendix are, however, printed separately in this form for convenience of distribution and for reference.

J. G. H.

EDUCATION DEPARTMENT (ONTARIO),
TORONTO, 4th January 1895.

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DOCUMENTARY HISTORY

OF

EDUCATION IN UPPER CANADA

FROM THE PASSING OF THE

CONSTITUTIONAL ACT OF 1791

TO THE

USE OF REV. DR. RYERSON'S ADMINISTRATION
OF THE EDUCATION DEPARTMENT
IN 1876.

VOL. II: 1831-1836.

ed, under the direction of the Honourable the Minister of Education, with Explanatory Notes,

BY

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DOCUMENTARY HISTORY

OF

EDUCATION IN UPPER CANADA.

PREFATORY REMARKS.

This Second Volume of the Documentary History of Education in Upper Canada embraces a much shorter period of time than did the First Volume. It, however, deals with a much wider range of subjects, and treats of educational matters of greater interest, and of more practical value to us of the present day.

One of the greatest charms which recently-written histories possess is, that they are not, as a rule, mere records, as Macaulay says, in his History, "of battles and sieges, of the rise and fall of administrations, of intrigues of the palace, and debates in Parliament." He states that it was his "endeavour to relate the history of the people, as well as the history of the government," etc. Green's History of the English People is another interesting example of modern historical writing.

This Documentary History makes no pretence to be a writing of that sort; but it contains a contribution of materials, out of which, with other information, a history of the social condition and progress of the people of Upper Canada may some day be written.

While the *ipsissima verba* of the Parliamentary language, (often imperfect, from errors and omissions), in which its proceedings are recorded are reproduced, as revised, in this Volume, the "missing links," in the shape of contemporary facts have, as far as possible, been supplied.

The Educational narrative, thus combined and made continuous in this Volume, derives its chief interest from the fact that it presents

a striking picture, despite a few drawbacks, of the intelligent progress made by the people of Upper Canada in Educational affairs. This, of course, was mainly promoted by the aid of able Representatives in the Legislature,—by the influence on public opinion of the leading newspapers of the day,—and by the personal utterances of experienced men in the learned professions, who, in these early days, had been trained in one or two admirable Schools which then existed.

No one can read the successive Reports of the Select Committees, chiefly of the House of Assembly, during the years embraced in this Volume, without being impressed with the conviction that a comprehensive grasp was taken by the leading men in the Legislature of the subjects under consideration; and that a statesmanlike clearness of vision was shown by the writers, in the preparation of these Reports.

Most of the leading principles embodied in our present school system—and those which were regarded with most favour by the Reverend Doctor Ryerson—are to be found embodied in these Reports.

Take a few examples: For instance, the great advantage of a diffusion of the benefits of Education to a whole people is clearly pointed out in these Reports. The absolute necessity of having a substantial financial basis, on which to rest a successful scheme of Education, is the theme of almost every one of them. That basis, if intended to be substantial, is held to depend, not upon mere Parliamentary votes, but upon a large endowment of lands,—to be supplemented, under the authority of the Legislature, by a vote upon property, so as to maintain the Schools in efficiency.

To give the more force to these views, one of the Reports to the House of Assembly, points out, with a degree of scornful emphasis, that the expenditure of the Legislature for Schools had dwindled down to such a miserable pittance, in 1833, that:

“Your Committee feel it to be their duty, most earnestly and anxiously, to draw the attention of your Honourable House to the astounding fact, that less is granted by the Provincial Legislature for educating the youth of three hundred thousand (300,000) people, than is required to defray the contingent expenses of one Session of Parliament!

“To place this in a point of view more striking, it may be observed, that one-third of the population of any country are subjects of School

Education; but allowing only one-fourth, we have an allowance, from the Provincial Treasury, of four thousand pounds (£4,000) for educating seventy-five thousand (75,000) children, a little more than one shilling per annum for the instruction of each Scholar!—a provision so pitiful—so miserable, for this most important of all objects, cannot fail, when thus presented, of exciting astonishment; and when contrasted with the vast sums expended by other countries in support of public instruction, reflects no credit on this Province.”

Over and over again an appeal is made to the Governor, and to the King, to set apart at least One Million of Acres of the Crown Lands as a permanent endowment for Common Schools. And remonstrance after remonstrance is addressed to the Executive for not carrying out the noble intentions of the Royal Grant of 1797 in establishing “Free Grammar Schools” in each of the Districts of the Province.

It is gratifying to know that the earnest appeals, of sixty years ago, to have One Million Acres of Crown Lands set apart for the support of Common Schools bore fruit in our own day; and these one million acres of Crown Lands were set apart, by Act of Parliament, in 1849. In 1839, 250,000 acres were set apart for Grammar Schools.

Nor did these Reports fail to call attention to the indispensable necessity of training Teachers for their important work. In the draft of Bill, accompanying the last Report presented to the House of Assembly, in 1836, provision was proposed to be made for the establishment of four Normal Schools in the Province,—three for men and one for women;—an arrangement such as would have to be reversed, should the scheme be carried out in the present day.

The Reports also advocated the creation of a higher class of Schools than either the ordinary Common, or the Grammar, School—having three or four Masters—thus foreshadowing the Collegiate Institutes of later years.

The supervision, or inspection, of Schools, (in a less efficient way, it is true, than prevails at present,) was provided for in one or more of the drafts of School Bills submitted to the House of Assembly by Mr. William Buell, Mr. Mahlon Burwell, Mr. Charles Duncombe, or by one of the Select Committees on Education.

It may be that, in some cases, the principles underlying these

improvements in the Schools of sixty years ago are not as clearly or as concisely expressed as they would be by the Educationists of our own day. But, considering the limited range of experience possessed by the Legislators of these early times, it is surprising how correct were their views on most of those things which were designed to promote the well-being of the Schools.

The subject of University Education did not, in this early period of its history, receive that patient, practical attention which the subject deserved. Discussion at the outset was embittered. And this arose from the fact that the proposed Institution was not intended to be a Provincial one, in the true sense of the term, but was originally projected as denominational in its very constitution. Yet, in most of the discussions on the subject, apart from the vexatious element imported into it, the ground taken by an influential minority was that, while a University was most desirable, yet Common Schools and preparatory Grammar Schools were more necessary, nay, absolutely essential, and should precede the establishment of such an Institution. Sir John Colborne solved this disputed question by way of compromise, (as was understood at the time,) and established what, in this spirit, was designated as a "Minor College." This College embraced a preparatory, or Grammar School, course of study, to fit boys for mercantile pursuits, and also a classical and mathematical one, designed to prepare students to enter a University, when one should be established.

In addition to educational matters, these practical men gave attention to other interests connected with the well-being and prosperity of this Province. The establishment of an Observatory was strongly recommended. Exploration, for the purposes of settlement, was undertaken; aid to libraries, and for the promotion of elementary science, was among the matters which were considered during the years extending from 1831 to 1836. Nor did the necessity of restraining evil-doers escape regard; and the memory of one of the most active Members of the House of Assembly, and his personal aid in the establishment of a Penitentiary, were gratefully recalled in a Resolution of the House when his death was announced to it. Other matters, which fall quite outside the scope and purpose of this

Volume, occupied the earnest attention of both Houses of the Legislature of Upper Canada during the period mentioned in it. Thus, in a Report from the Select Committee of the House of Assembly on Education, presented to that House in 1833, a desire was expressed to know something of the "regions beyond" what were then popularly known, and believed to be, the boundaries of the Province. It was, therefore, agreed by the House of Assembly to ask the Lieutenant-Governor for a copy of the Charter of the Hudson Bay Company for this purpose. This was obtained; and a geological exploration, north of Lake Huron, was afterwards made. The Members of the House evidently felt that, in the Bliss Report, mentioned below, the Province had been incorrectly represented in England as only containing five millions and a half, (5,500,000,) of acres of vacant land, fit for settlement, and at the disposal of the Crown, instead of at least forty million of acres, (40,000,000,) of such available land.

The Report then proceeds :

"While thus deliberating incidently on the [matter before them] . . . your Committee were forcibly struck with the vast importance it would be to the interests of the Province if your Honourable House were in possession of such documents as would clearly point out the boundaries of the extensive unexplored territory within its limits.

"Your Committee observe by the 14th George the Third, Chapter 83, that the late Province of Quebec, (now one of the Canadas), was bounded on the north by the territory granted to the Hudson's Bay Company, . . . Your Committee deem this information [*i. e.*, a copy of the Charter] necessary for the purposes of Legislation, when considering the importance of Education, of Canals, Railways, or any general subject in which the great interests of the Province are concerned; and, in support of this argument, your Committee beg to observe, that, on reference to a work on the Statistics of Canada, published in England by Henry Bliss, Esquire, in 1833, which (notwithstanding the very palpable mistake undermentioned), contains a mass of most valuable tabular and other information, the Province is stated to contain only 5,500,000 acres of land which are vacant and at the disposition of the Crown. The author states that the information he has given was "taken from the Official Inquiries and Report of Mr. Richards," a gentleman who was sent out to report upon this country

during the period Sir George Murray was at the head of the Colonial Department, and your Committee cannot refrain from expressing their sincere sorrow and regret that such a statement . . . should go forth to the world calculated to deteriorate, in the Mother Country, the high opinion which, from existing facts, ought to be entertained of the extent, the capabilities and resources of this Province; for, admitting that which is generally understood to be the case, that the the highlands dividing the waters which flow into Lakes Huron and Superior from those which discharge themselves into Hudson's Bay, form the boundary, there will be found to be upwards of 40,000,000 of acres of unexplored lands in this Province, not noticed in the Report of Mr. Richards, in western longitudes; and although considerably to the northward may be territory, in climates genial to cultivation and improvement, and, in point of soil, the greater part of it, for aught we know, equal to any that is now settled."

All honour to the men who thus sought, although ineffectually at the time, to place wise educational measures upon the Statute Book of Upper Canada. They sowed good seed, and planted the germs of that which grew and fructified, after they were gone, and became the educational and other institutions which we now possess, in an enlarged and practical form—as the result of their labours—but matured and improved by the wisdom of the men of our times. Truly, in this matter,—

“Other men laboured, and [we] are entered into their labours.”

J. GEORGE HODGINS,

LIBRARIAN AND HISTORIOGRAPHER FOR THE
EDUCATION DEPARTMENT FOR ONTARIO.

TORONTO, Eve of Christmas, 1894.

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ERRATA.—On page iv., fourteenth line from the bottom, for “vote upon property,” read *rate upon property*.

On page vii., twenty-first line from the bottom, for “deliberating incidently,” read *deliberating incidentally*.

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CHAPTER I.

FOUNDING OF THE UPPER CANADA ACADEMY, 1830.

The Upper Canada College, founded by Sir John Colborne early in 1829, was practically a Church of England institution, as its Principal and five of its Masters were clergymen of that Church. Its Visitor and Governing Board were also Episcopalians. This was, no doubt, one of the reasons why the Methodist Conference of that day decided to establish the Upper Canada Academy, as an Institution open to all non-conformists, although under its control.* For, be it remembered, that in these early days in the history of Upper Canada, the Church of England was regarded as an Established Church in the Province, by virtue of the sections in the Constitutional Act of 1791 which provided for the organization of parishes, and authorized their endowment, at the pleasure of the Government, with glebe lands as rectories.† In Lord Goderich's Despatch of the 2nd of November, 1831, (Page 55,) he stated that Upper Canada College was established for various classes of the community, "as well as for the Church of England."

That Upper Canada College, established by Sir John Colborne, and not by the Legislature, was not acceptable to the Methodists is evident from the following extract from the rejoinder, (see page 12,) of the Reverend Egerton Ryerson to the reply of the Lieutenant-Governor to an Address presented to him by the Methodist Conference in 1831 :

When seminaries are established, and placed under the sole direction of the clergy of one church, without even consulting the popular branch of the Colonial Legislature, I cannot see how they are justly entitled to the character, confidence or patronage of free public institutions.

Similar opinions were likely shared in by Presbyterians and others; for the "Canadian Education and Home Missionary Society," organized in Montreal before the founding of Upper Canada College, "principally by Presbyterians," (as its first report stated),‡ was, in 1831, (two years after Upper Canada College was established,) apparently made the basis of an appeal "which was issued by the United Presbytery of Upper Canada" on behalf of a "Literary, or Theological, Seminary, or Academy," to be established at Pleasant Bay, Township of Hillier, Prince Edward District. (See page 13.)

* See like remarks of Chancellor Fleming, quoted to page 14.

† Incidentally, this fact is thus referred to by the Reverend Doctor John Carroll, in his History of "Case and his Cotemporaries," Volume III., (1871), page 352: "The District Schools of that day were the only Grammar Schools of the Country. The Episcopal Church, which then claimed to be the Established Church of the Colony, had had complete ascendancy in these Schools; and the one of York especially had been under the control of the Reverend Doctor Strachan," etc.

‡ In a notice of the first Report of this Society, (in the *Christian Guardian* of the 9th of April, 1831), the following passage occurs: "This Society was founded in December, 1827, having for its object the supply of destitute places with suitable gospel ministers . . . and likewise the formation and support of a theological seminary for educating pious young men for the ministry." The report says: "Hitherto we have had no theological seminaries in these provinces for the Protestant population, and none are educated for that ministry among us. The supply from abroad has not been, and never can be, adequate to the wants of the people." See also the *Christian Guardian* of the 3rd of September, 1831.

This "appeal" was no doubt largely due to, if not the result of the dissatisfaction felt by the Presbytery with the report of the Legislative Council on its Memorial to the Legislature—the details of which are given in the First Volume of this DOCUMENTARY HISTORY, pages 298, 299; 307-310; 315, 316.

No particulars of the first movements of the Methodist people towards the founding of their Academy at Cobourg are given in the *Christian Guardian* newspaper, established in 1829; but the Reverend Doctor John Carroll, in his "Case and his Cotemporaries," Volume III, (1871), says, that, at the Conference of 1829, "the subject of a Seminary was taken into consideration and a Committee appointed, but nothing decisive was done." Page 256. In the Reverend Thomas Webster's "History of the Methodist Church in Canada," (1870), he states that:

The education of the people at large, and, more especially, the education of young men who designed entering the sacred office of the ministry, had long been the subject of much deep and anxious thought upon the part of many of the more far-seeing preachers. The establishment of a Seminary had long been talked of among them as something highly to be desired, but scarcely yet attainable. But, at this Conference, (1830), it was thought that the time for action in this important matter had arrived. The project was presented for the consideration of the preachers; and after some discussion . . . resolutions concerning it were adopted. (Pages 242, 243.)

In the "Life and Times of Anson Green, D.D.," (1877), under the heading of "The Conference of 1830," Doctor Green says:

Much important business was transacted at this Conference. A Committee of seven devised and reported a plan for establishing the Upper Canada Academy; and our report was adopted by the Conference. This was a bold and venturesome, as well as a patriotic, undertaking. We had no funds with which to provide such an Institution; and we had little collegiate knowledge and experience to guide us; but the country required it, the church demanded it, and the Conference ordained it, therefore it was accomplished. (Page 140.)

The Report of the Committee, to which the Reverend Doctor Green referred, was accompanied by a series of resolutions, as follows:

Resolved, 1. That it is expedient to establish a Seminary of Learning, to be under the direction of the Conference of the Methodist Episcopal Church in Canada.

Resolved, 2. That the plan and Constitution of said Seminary be published; and that each Preacher belonging to the Conference be furnished with a copy of the same, and a form of subscription also; and that he be requested to use his best endeavours to obtain funds for the Institution.

Resolved, 3. That a Committee of nine persons be appointed by the Conference—three from each Presiding Elder's District—to fix upon the location of said Seminary; to meet at Hallowell, on the 27th of January, 1831, at 9 o'clock, a.m.

Resolved, 4. That the above Committee have authority to determine the place at which to locate said Seminary; and if, in the judgment of the Committee, the amount secured by subscription, or otherwise, be sufficient to justify the undertaking, they shall have full power and authority to purchase, or otherwise obtain, a suitable situation for a site; to choose Trustees for the time being; to appoint a Building Committee, and to transact all other business necessary to forward the building, as far as practicable, before the session of the next Conference.

Committee Suggested.—From the Niagara District, the Reverends Thomas Whithead, John Ryerson and Samuel Belton; from the Bay of Quinty District, the Reverends William Ryerson, David Wright, and John Beatty; Augusta District, the Reverends William Brown, Thomas Madden, and James Richardson, junior.

Name of the Academy.—This is left to the Committee appointed to select the place for locating it, etc.

Constitution of the Institution.—1. This Academy shall be purely a Literary Institution. No system of Divinity shall be taught therein; but all students shall be free to embrace and pursue any religious creed, and attend any place of religious worship which their parents or guardians may direct.

2. Nine Trustees shall be appointed by the Conference ; three of whom, (the first three on the list,) shall go out annually, and the vacancies shall be filled up by the Conference, which shall hold and manage, in trust, all the property belonging to the Institution.

3. A Board of Visitors, consisting of five members, shall be annually chosen by the Conference, who shall be associated with the Trustees, in appointing the Principal and Teachers of the Academy ; in fixing their salaries ; in forming the regulations and by-laws ; in pointing out the course of study ; and all other matters which relate to the government of the Institution, and the instruction of the students.

4. To this joint Board of Visitors and Trustees, the Principal and Teachers of the Academy shall be amenable for their conduct.

5. The above Board of Trustees and Visitors shall annually examine into the finances and literary state of the Institution, and furnish a full and detailed account of the same to the Conference.

At a meeting of the Conference of the Methodist Episcopal Church, held at Kingston and Belleville, from the 17th to the 30th of August, 1830, this Report was adopted, and the following resolution was passed :

Resolved, That a Committee of nine persons be chosen by ballot, consisting of three from each District, to fix the location of the Seminary, according to some general instructions to be given them by the Conference.

The following persons were chosen by the Preachers of each District respectively, viz. : The Rev. John Ryerson, the Rev. Thomas Whitehead, the Rev. Samuel Belton, the Rev. David Wright, the Rev. John Beatty, the Rev. William Ryerson, the Rev. Thomas Madden, the Rev. William Brown, and the Rev. James Richardson, junior.

Speaking of this Conference, the Reverend Doctor John Carroll, in his "Case and his Cotemporaries," says :

The great subject which occupied the attention of the Conference at this Session, was that of a Seminary of Learning for the Body, but intended to benefit the Province at large. The location of it was a question of difficulty, arising from the offers made by several different places, namely, Brockville, Kingston, Belleville, Cobourg, York, and other places. To render this matter perfectly impartial, it was relegated to a Committee of nine, chosen by ballot, three from each of the three Districts. . . . The place chosen was Cobourg, where four acres of land were presented by Mr. George B. Spencer, as being retired from a large town, central in the Province and accessible both by land and water.*

Constitution of the Academy.—The following Constitution for the Upper Canada Academy was finally adopted by the Conference :

1. *Resolved*, That nine Trustees be appointed by the Conference, three of whom, (the first on the list,) shall go out of office annually, who shall hold and manage, in trust, all the property belonging to the Institution.

2. *Resolved*, That a Board of Visitors, consisting of five persons, be chosen annually by the Conference, who shall be associated with the Trustees in appointing the Principal and Teachers of the Academy ; in fixing their salaries and in framing the regulations and by-laws ; in fixing the course of study, and in all other matters which relate to the proper regulation, government, discipline and instruction of the students.

3. *Resolved*, That to this joint Board of Visitors and Trustees, the Principal and Teachers of the Academy shall be amenable.

4. *Resolved*, That the above Board of Trustees and Visitors shall examine annually both the financial and literary state of this Institution, and furnish a full and detailed account of the same to the Conference.

5. *Resolved*, That this Conference return their sincere thanks to Mr. Billa Flint, senior, for his generous offer in relation to the establishment of a Seminary ; but, as they have referred the place of location to a Committee, they are unprepared, at present, to say whether they can

* By reference to the Proceedings of the Legislature, it will be seen that Mr. George B. Spencer, then a minor, applied by petition for power to make a grant of this land for the site of Upper Canada Academy. See Proceedings of the Legislative Council of the 12th and 17th of January, 1832 ; and of the House of Assembly of the 13th and 18th of the same month. Nothing, however, was done in the matter by either House, as prayed for in the Petition.

accept his liberal offers in relation to its location at Brockville ; but they hope that the Conference will realize the generous support of Brother Flint in behalf of said Institution, wherever it may be located.*

In the Pastoral Address of the Conference of 1830, issued after its close, and signed by " William Case, President," and " James Richardson, junior, Secretary," after pointing out several means, by the diligent use of which the prosperity of religion may be secured, the Address called attention to :

A Seminary of Education, where youth may be trained up in the knowledge and obedience of God, and at the same time be faithfully instructed in the various branches of human learning, which the present state of society renders essentially necessary, in order to respectability and usefulness, and for the proper discharge of duty in the different stations of life to which Providence may call them. The plan of this Institution will be laid before you ; and we hope and pray that it may meet the warm and liberal support of our brethren, and of all that feel friendly to the promotion of education among the youthful part of our population.

In connection with these proceedings of the Conference, the Editor of the *Christian Guardian*, then the Reverend Egerton Ryerson, called the attention of the public, in November, 1830, to this effort of the Methodist Episcopal Church, to provide the young people of Upper Canada, of all denominations with such a means of intellectual improvement. In doing so, the Editor said :

To assist many parents and guardians of children in the several parts of the Province to give their children an education, and to assist the youth and children to acquire that education, is the object contemplated by the Conference in attempting to erect and establish a Seminary of Learning.

The object of this proposed Seminary is not to compete with any College [University] which may be established in this Province ; but rather to be tributary to it, when one shall be established for the general benefit of the Province, under the several branches of the Provincial Legislature, by imparting to youth and children the elements of a classical education, and by preparing them to enter the halls of a College, or University. The promoters of this measure, however, principally intend the contemplated Seminary to be a place of learning, where the stream of educational instruction shall not be mingled with the polluted waters of corrupt example ; where the public shall be guarded against the infection of immoral principles and practices ; where a good English and classical education may, with all possible facility, be acquired ; where the rudiments of the several sciences will be taught ; where habits of industry will be encouraged ; where scholars of every religious creed will meet with equal attention and encouragement ; and where the terms will be made as moderate and easy as the circumstances of the Province will admit. The urgent necessity of such an Institution must be apparent from the fact, that there is not one, embracing all these important objects in the whole Province,—in which there are, probably, from twenty to thirty thousand youths and children, who might, and ought, to possess an education that would entitle them to transact any kind of business, and be qualified for public stations in society.

The great advantage resulting from the establishment and successful operations of such an Institution, under the management of faithful and able Masters, may very easily be inferred from the salutary influence of similar Institutions in the United States.† The acquirement of a good education is thus brought within the reach of hundreds of promising youths, to whom it would otherwise be inaccessible. The probable cost of the site and buildings will be from £4,000 to £6,000 ; and may not an appeal be confidently made to the Canadian public on behalf of this object ? Who will refuse a donation according to his means when respectfully called upon ? We humbly hope no one.

* I have no particulars of Mr. Flint, senior, but his well known son, the Honourable Billa Flint was born in the Township of Leeds, February the 9th, 1805. Having removed from the County of Leeds to Belleville, he represented the County of Hastings in the Legislature from 1847 to 1851, and South Hastings from 1854 to 1857. He was elected to the Legislative Council in 1863 ; and, being called to the Senate in 1867, he remained a member of it until his death, on the 16th of June, 1894. He was a man of sterling character. He died in his 90th year.

† At the Methodist College at Cazenovia, New York, alone, there are nearly twenty students from the Province of Upper Canada, and the number is increasing every quarter. This does not speak much in favour of our present literary institutions in this Province.—*Editor of the Christian Guardian, 28th of November, 1829.*

SELECTION OF COBOURG AS THE SITE OF THE NEW ACADEMY, 1831.

In the *Cobourg "Star"* of the 1st of February, 1831, the following semi-official article appeared :

Methodist Academy.—The Committee appointed by the last Conference of the Methodist Episcopal Church, for the purpose of deciding upon the most eligible site for the erection of this building, sat at Hallowell, on Thursday last. The Reverend John Ryerson, having taken the Chair, the following places were proposed, viz. : York, Cobourg, Colborne, Belleville, Kingston and Brockville ; when the choice of the Committee fell upon our village (Cobourg), by a majority of 5 to 2.

The following account of the proceedings of this meeting is given in the *Christian Guardian* of the 5th of February, 1831, as follows :

On the 27th of January, 1831, the Committee, appointed by the Canada Conference to fix on the place for locating the proposed Seminary, met at Hallowell (Picton), according to appointment. Present : The Reverends John Ryerson (Chairman), Thomas Whitehead, Samuel Belton, William Ryerson, David Wright, John Beatty, and James Richardson. They proceeded to receive the nominations, by the members present, for the place of location, in order, as follows :

1. York, nominated by the Reverend Samuel Belton.
2. Cobourg, nominated by the Reverend Thomas Whitehead.
3. Colborne, nominated by the Reverend David Wright.
4. Belleville, nominated by the Reverend John Beatty.
5. Kingston, nominated by the Reverend James Richardson.
6. Brockville, nominated by the Reverend Thomas Whitehead.

Resolved, That any friends, not of the Committee, who may be present, be at liberty to give information respecting the places nominated.

The Committee then proceeded to receive information respecting the places under nomination, in the above order, and, after giving the same the most deliberate and serious consideration, selected Cobourg as the site of the proposed Seminary.

The Committee then chose the following persons as Trustees of the Seminary, viz., the Reverends William Ryerson, David Wright, Daniel McMullen, and Messieurs Ebenezer Perry, John McCarty, James Lyon, William F. H. Kelley, Stoddard Bates and Ozem Strong.

The following seven persons were further chosen as a Building Committee, namely, the Presiding Elder of the Bay of Quinty District, the Preacher in charge of the Cobourg Circuit, Doctor John Gilchrist, and Messieurs Ebenezer Perry, John McCarty, Wilson S. Conger, and John W. Cleghorn. Five of whom to form a quorum for the transaction of business. The following resolutions were then passed, viz. :

1. That the Building Committee proceed to provide materials for building, as soon as two thousand pounds (£2,000) are subscribed, and one-fourth of it collected.
2. That the Presiding Elders of Districts be authorized to employ Agents in their respective Districts, to aid in procuring subscriptions ; and that the said Agents be instructed to alter the subscription papers, so as to provide for the first payment to be made on, or before, the first of May next.
3. That the Presiding Elders of Districts endeavour to obtain information respecting proper persons to be employed as Teachers in the Academy.
4. That the Building be erected with stone for the ground storey, and brick for the remainder ; and that the Building Committee provide materials for a House, one hundred feet long, by thirty-six feet wide, three storeys high ; the two lower floors to be of white oak, or ash, if it can be conveniently obtained.
5. That the said Seminary be designated the UPPER CANADA ACADEMY.

JAMES RICHARDSON,
Secretary.

JOHN RYERSON,
Chairman.

HALLOWELL, 27th January, 1831.

SITE OF THE UPPER CANADA ACADEMY ; ITS ASTRONOMICAL ADVANTAGES, ETC.

On the selection of Cobourg, for the intended Seminary, Mr. R. Milburn, a writer in the *Cobourg Star*, under date of the 24th of February, 1831, remarked :

Seminaries that are seated upon the shores of seas, or of lakes, whence the opposite shores cannot be seen, afford great facilities for instructing youths in making celestial observations.

1st. As the sun comes to the meridian at Cobourg upon the lake, any person who is acquainted with rectifying the quadrant can find the latitude of this place with the greatest precision in three minutes, and can teach youths of common capacities the same in a few days. It is indispensably necessary that the meridian altitude of the sun, if visible at noon, be taken on board of every ship that is out of sight of land, every day, to ascertain the latitudes ; consequently, youths intended for the sea should be familiarly acquainted with the proceedings before they leave school.

2nd. As the sun is over the lake before nine o'clock, and after three, by taking the altitude at either of these times, apparent time may be found, and this corrected by the equation of the day, will give true time, as shewn by clocks and chronometers. The difference between this true time and the time of a chronometer set by Greenwich time, corrected for loss or gain, is longitude in time. The Board of Longitude, considering the great advantages to be derived from the above method, gave Mr. Harrison £20,000 for the invention, and the application of his celebrated chronometer. British ships of war, and those trading to the East Indies, are all furnished with chronometers for finding the longitude. . . .

On the 5th of April, 1831, under the heading of the *Cobourg Seminary*, the Editor of the *Star* remarked :

As an Editor, it is one of our chief duties, and certainly our greatest pleasure, to commend and to encourage all those instances of enterprise and improvement which fall under our observation. Our humble efforts may not be very beneficial, for neither have we very extensive patronage, nor can we hope that we have much influence ; yet with the more widely circulated, longer established, and more regarded periodicals, we also are under an obligation to offer such assistance as our means will allow, to promote what is useful and what is good. . . .

Several weeks ago we informed our readers that Cobourg had been decided on as the site of an extensive Seminary, to be erected and conducted under the patronage of the Methodist Conference. Since this was announced, the inhabitants of this place, of all sects, with a liberality that does them honour, have entered into a large subscription for the assistance of this useful Institution. Already we understand more than £900 have been here given, and the sum is every day increasing. We respectfully urge it upon the people to promote this object still further. They understand well the benefit of an extended education, and that the superiority of a nation in strength, in the liberal arts, in virtue and in wealth, can be obtained only by a wide diffusion of intelligence. We do not advocate the cause of education in behalf of any particular sect ; no sectarian principles are to be taught in the Cobourg Seminary ; it is to be open equally to all denominations. It is necessary that such should be the character of this Institution ; and we really do not know that the management could be entrusted to any class of persons more likely to ensure it, than the Methodists, who, jealous as they are of any approach to intolerance in others, will be the less likely, we trust, to permit any just ground for such an accusation against themselves.

The spot which has been selected for the building, and most liberally bestowed by its owner, Mr. George B. Spencer, is an extremely beautiful one, and, if the building be in good style, it will be exceedingly ornamental to this village. We understand the sum of £6,500 is to be appropriated to the building alone ; it is, certainly, sufficient to erect a very handsome edifice, and we doubt not good taste will be evinced in its elevation. Afterwards, the Editor said :

We continue to receive the most gratifying accounts of the liberality evinced on behalf of this excellent Institution. Subscriptions pour in beyond all expectation. In the Township of Hallowell they already amount to near £600. The building, therefore, we are informed by the Committee, will be now very soon commenced.

On the 8th of March, 1831, the Reverend William Ryerson, "Presiding Elder of the Bay of Quinty District," issued the following notice, after the Committee appointed by the Conference had fixed the site of the proposed Seminary :

The Committee appointed by the last Annual Conference, to fix on a place for locating a Seminary, after they had decided on the place of location, passed the following resolution : (See the preceding page).

“*Resolved*, That the Presiding Elders be authorized to employ Agents in their respective Districts, to aid in procuring subscriptions for the Seminary.” Accordingly, after consulting the Presiding Elder of the Niagara District, I have appointed the Reverend John Beatty for that purpose, who is duly authorized to procure subscriptions throughout the Niagara, and Bay of Quinte Districts.

I would embrace the opportunity of recommending Mr. Beatty to the kind attentions of the friends of a liberal system of education, and of soliciting their most liberal assistance in the establishment of an Institution so much wanted, and which, I trust, will be an extensive and lasting benefit to the country.

I would also respectfully remind our friends and a liberal public, that, as such an undertaking cannot be accomplished without very considerable expense, it is on their liberality we are depending for the necessary funds ; and we sincerely hope and believe we shall not appeal to them in vain, but that the means will be readily and speedily afforded of commencing and completing the necessary buildings, and getting the Seminary into successful operation.

THE UPPER CANADA ACADEMY AS A NON-SECTARIAN LITERARY INSTITUTION.

In April 1831, the Reverend Egerton Ryerson, then Editor of the *Christian Guardian*, thus explained the purpose of the proposed Upper Canada Academy. His Exposition of the value of Education to a people was prophetic of what he sought to make a reality in the School System which he afterwards founded :

This Academy is designed to be purely a Literary Institution. The establishment of it is not contemplated to educate young men for the ministry, but it is designed for the education of youth generally, for any pursuit, or profession, which their inclinations or circumstances may dictate. The first article of the Constitution of the Academy is :

“This shall be purely a Literary Institution. No system of Divinity shall be taught therein ; but all students shall be free to embrace and pursue any religious creed and attend any place of religious worship as their parents or guardians may direct.”

It is, therefore, intended for the general education of youth in Upper Canada ; and, whilst the principles on which it is founded will secure a perfect freedom to students in the choice and exercise of their religious faith and worship, the regulations which will doubtless be instituted and observed under the direction of the Board of Visitors and Trustees will afford to parents and guardians an example and satisfactory assurance that the morals of the pupils will be preserved and promoted. We doubt not but the utmost pains will be taken to procure teachers whose qualifications and abilities will do honour to the institution, and meet the expectations of its patrons and friends.

There are, however, other circumstances which give this undertaking a strong claim to the encouragement and liberal support of the Canadian public.

I. The site is central, and one of the most healthy and delightful in the Province.

II. It is located in a district of moral and intelligent people, who highly prize the advantages of education, and manifest, without distinction of party, a praiseworthy zeal and liberality towards the erection of the necessary buildings, and the speedy and successful operations of the Institution.

III. Its being established under the special and active patronage of a numerous religious Body, will be likely to combine a more general interest for its support and a much larger attendance of pupils, and, consequently, render it more extensively useful to the rising generation in Upper Canada, than any similar institution established by a few private individuals. And, in proportion to the probable public usefulness of the Institution, should be the liberality of the friends of education towards its establishment.

IV. It is the first literary Institution which has been commenced by any body of Ministers in accordance with the frequently expressed wishes of the people of Upper Canada. The Methodist Conference have not sought endowments of public lands for the establishment of an Institution, contrary to the voice of the people, as expressed by their representatives ; much less have they sought to acquire such endowments to erect “essentially a *Missionary College*”^{*} for the purpose of carrying on an extensive proselyting warfare upon the territories of their religious neighbours. But the Methodist Conference, in the manner in which they have commenced and

* Documentary History of Education in Upper Canada, Volume I., page 218.

are proceeding in the establishment of this Institution, say, in effect, to the people of Upper Canada : 'We have not laboured among you for the promotion of selfish and party purposes, but for the diffusion of pure and undefiled religion ; nor have we sought, or received, any other subsistence than the voluntary offerings of your liberality. Desirous of promoting more extensively the interests of the rising generation and of the country generally, we have resolved upon the establishment of a Seminary of Learning—we have done so upon liberal principles—we have not reserved any peculiar privileges to ourselves for the education of our own children ; we have published the Constitution for your examination ; and now we appeal to your liberality for assistance—we feel confident you will not withhold it—we believe your good wishes are with us in this undertaking, and we submit to your decision for the success or failure of it.'

CHARACTERISTICS OF THE SYSTEM OF INSTRUCTION TO BE PURSUED.

1. On the characteristics of the system of education which it is contemplated to pursue in the proposed Seminary, we may observe, that it will be such as to produce habits of intellectual labour and activity : a diligent and profitable improvement of time ; bodily health and vigour ; a fitness and relish for agricultural and mechanical, as well as for other pursuits ; virtuous principles and Christian morals. On the importance of education generally, we may remark, it is as necessary as the light—it should be as common as water, and as free as air. A young man commencing life without education is like a mariner going to sea without any knowledge of navigation. There is a possibility of his getting into some desired port, but it is only a possibility. Education to the mind is like hands to the body—they are essential to most of the pursuits of ordinary life, tho' they may be sometimes abused to the worst of purposes. Education among the people is the best security of a good government and constitutional liberty ; it yields a steady unbending support to the former, and effectually protects the latter. An educated people, are always a loyal people to good government ; and the first object of a wise government should be the education of the people. An educated people are always enterprising in all kinds of general and local improvements. An ignorant population are equally fit for, and are liable to be, the slaves of despots, and the dupes of demagogues ; sometimes, like the unsettled ocean, they can be thrown into uncontrollable agitation by every wind that blows ; at other times, like the uncomplaining ass, they tamely submit to the most unreasonable burdens.

2. Education, like seeing, is one of the most fruitful sources of public, social and individual happiness. We may see many things that are hurtful and painful, yet the pleasures of observation are inexhaustible ; so it is with the pleasures of knowledge. Education is the handmaid of religion. "It is the will of God, (says Dr. Adam Clarke,) that Christians should be well instructed ; that they should become wise and intelligent ; and have their understandings well cultivated and improved. Sound learning is of great worth even in religion ; the wisest and best instructed Christians are the most steady and may be the most useful. If a man be a child in knowledge, he is likely to be tossed to and fro and carried about with every wind of doctrine ; and often lies at the mercy of interested designing men ; the more knowledge he has, the more safe is his state. If our circumstances be such that we have few means of improvement, we should turn them to the best accounts. Partial knowledge is better than total ignorance ; he who can not get all he may wish, must take heed to acquire all that he can. If total ignorance be a bad and dangerous thing, every degree of knowledge lessens both the evil and the danger."

NOTICES BY THE TREASURER AND SECRETARY OF THE UPPER CANADA ACADEMY.

In notifying the appointment of Treasurer of the Academy on the 4th of April, 1831, (by the Reverend John Ryerson, then of Grimsby, Chairman of the Building Committee of the Upper Canada Academy,) the Reverend Egerton Ryerson, Editor of the *Christian Guardian*, said :

The remarks on the Upper Canada Academy in a preceding column are encouraging. We learn by a letter from a friend in Grimsby that upwards of \$2,000 has already been subscribed in the Niagara District—and it is expected this sum will be increased to nearly, if not quite, \$3,000. We hope that every District will do likewise.

NOTICE.—The Committee appointed to erect the building for the Upper Canada Academy have appointed Ebenezer Perry, Esq., of Cobourg, for their Treasurer. Mr. Perry is, therefore, authorized to receive all moneys collected for that purpose ; and Agents are respectfully requested to make as early remittances to Mr. Perry as possible.*

* Brother of Mr. Peter Perry. He was a Member of the Legislative Council after the union of the Provinces in 1840.

The Secretary of the Building Committee, Wilson S. Conger, Esquire, also issued the following Notice, on the 16th May, 1831, calling for Tenders for the erection of the proposed Academy :

Public notice is hereby given, that sealed Tenders will be received by the Building Committee of the Upper Canada Academy until Wednesday noon, the 1st day of June next, from such person or persons as may be desirous of contracting for the delivery of the whole, or any part, of the following material. viz. : one hundred cords of good building stone; twenty-five cords to be delivered on or before the 1st July next, and the remainder to be delivered as fast as required for the work. 300,000 brick; 50,000 to be delivered on or before the 1st day of September next, and the rest as required for the work. Also a sufficient quantity of lime for use in the Building, and to be delivered when required. Each tender must bear the signature of two respectable persons as sureties. The price of stone per cord, brick per thousand and lime per bushel must be stated.



THE UPPER CANADA ACADEMY, COBOURG, 1832-1836. - *1836*

CHARACTER AND PURPOSE OF THE PROPOSED UPPER CANADA ACADEMY.

In November, 1831, the Reverend Egerton Ryerson, Editor of the *Christian Guardian*, thus describes the proposed Academy and its purpose :

This Institution, as stated in the Constitution which we published a few months since, is to be purely a Literary Institution. No peculiar system of theological opinions is to be taught in it; every pupil is to be left at liberty to attend such places of religious worship as may be directed

by his parents or guardians. At the same time, those principles and precepts of morality will be carefully inculcated and enforced which will guard the pupil from the contagion of vicious practice and example and will lead him to the love and practice of virtue.

At our last Annual Conference, held the early part of September in this town, the Reverend John Beatty was appointed General Agent, to obtain subscriptions for the erection of the buildings, etc. At that time it appeared that subscriptions to the amount of £3,954 had been obtained : by the Reverend John Beatty, £2,422 ; by Mr. John McCarty, £1,000 ; by the Reverend Ephraim Evans, £532 ; total, £3,954. In this amount is included 900 acres of land, valued at £125. Encouraged by the amount of subscriptions already obtained, and the flattering prospects of being able to increase them to the amount necessary to bring the Institution into operation at an early period, the Conference recommends the Building Committee at Cobourg to proceed with the building, pledging themselves to use their best exertions to obtain the sum necessary to complete the work.

DESCRIPTION OF THE UPPER CANADA ACADEMY BUILDING.

The ground floor of the Upper Canada Academy Building, which has been approved by the Committee in charge, embraces an area of eleven thousand seven hundred feet, of which the following is the contemplated arrangement, viz. :—The main building in front is one hundred and thirty feet long and forty feet deep, with two wings, extending from either extremity to the rear, each fifty feet by twenty-four, leaving a court yard of eighty-two feet by fifty.

The front building is intended to be three storeys high, and the wings two storeys. We were particularly pleased with the attention paid to the convenience and comfort of the students as shown in the interior arrangements, which appropriates for their use a variety of small studys, so constructed as to place them under the immediate inspection of the different Professors. The right, or west wing, constitutes the female department. The left, or east wing, (in which is an extensive dining-hall), that of the males. There is a Chapel, Professors' Room, etc., in the centre.

What now remains to be done, in order to accomplish the noble object of the Conference, to establish a Literary Institution upon the principles and plan above stated? It remains for the friends of education in Canada, the Ministers, members and friends of the Methodist Church in particular, to make a general, spirited and united exertion and the work is done—is easily and speedily done. This exertion is called for, and loudly called for, by their own interests—the interests of the country—the interests of posterity, and it is expected, and reasonably expected, at their hands.

CONFERENCE ADDRESS TO SIR JOHN COLBORNE, AND HIS REPROACHFUL REPLY.

In 1831, the Methodist Conference presented an Address to Lieutenant-Governor Sir John Colborne, requesting him to transmit a memorial and accompanying documents, relating to King's College and other matters, to the King. It concluded as follows :

Permit us to avail ourselves of this opportunity to express our best wishes for Your Excellency's spiritual and temporal prosperity, and to assure Your Excellency of our sincere desire and firm determination to second Your Excellency's exertions for the public good by doing all in our power to promote the interests of morality and pure religion, the essential precepts of which are "Fear God and honour the King."

By order of the Conference of the Methodist Episcopal Church in Canada.

JAMES RICHARDSON,
Secretary.

WILLIAM CASE,
President.

YORK, September 8th, 1831.

The reply of the Lieutenant-Governor to this Address was of so extraordinary a character that I insert it entire, together with the Reverend Egerton Ryerson's rejoinder. The reply shows that Sir John Colborne resented the efforts of the Methodist Conference to establish an Institution which might possibly prove a rival to Upper Canada College, which he had just founded.

GENTLEMEN :

I shall not fail to transmit to the Secretary of State your Memorial addressed to the King.

In returning my best thanks to you for your good wishes, I may venture to affirm that the assurances of your desire and determination to promote the interests of pure religion will afford general satisfaction, because a very unfavorable impression has been made from one end of the Province to the other as regards an imported secular interference on the part of your Preachers, —an impression, I am afraid, that must tend to counteract the salutary effects that ought to result from the active piety and zeal of your Society. I refer with reluctance to the public opinion formed of the doctrines inculcated by Ministers of any denomination of Christians, or of the principles which they are said to espouse ; but, on this occasion, I think it right to acquaint you that, although the character of your Ministers is probably aspersed, and although they may not, as it is said, take advantage of the influence acquired by their sacred office, to conduct the political concerns of the people committed to their care to be instructed only in the words of eternal life, yet I cannot imagine that, if there were not some grounds for the imputation of their inconvenient attention to secular concerns, a desire for the return of the British Wesleyan Missionaries, to resume their pastoral labours in this Province, would not have been generally expressed. This conclusion may be erroneous ; but I am in some measure led to it from the reports which I have received of the absurd advice offered by your Missionaries to the Indians, and their officious interference, if any reliance can be placed on the statements of the Indians themselves, the civilization of whom the Superintendents of the Indian Department are endeavouring to accomplish.*

With our excellent Constitution, in this Province, I trust we shall always find a sufficient number of the supporters of civil and religious freedom, without the interference of the Ministers of the Gospel.

Your Preachers, whether they are brought from the United States, or from any other foreign country, will, I hope, experience, while they act honestly and respect British institutions, the same protection, encouragement and freedom which all Americans enjoy, who have found an asylum among us, and choose to live under the British Government in this Province, and securely enjoy the rights of our own colonists which are assured to every denomination, party, sect or persuasion.

Your dislike to any church establishment, or to the particular form of Christianity which is denominated the Church of England, may be the natural consequence of the constant success of your own efficacious, organized system. The small number of our Church of England members is to be regretted, as well as that the organization of its ministry is not adapted to supply the present wants of the dispersed population in this new country ; but you will readily admit that the sober-minded of the Province are disgusted with the accounts of the disgraceful dissensions of the Episcopal Methodist Church and its separatists, recriminating memorials and the warfare of one church with another. The utility of an establishment depends entirely on the piety, assiduity and devoted zeal of its Ministers, and on their abstaining from a secular interference, which may involve them in political disputes.

The labours of the clergy of established churches, in defence of moral and religious truth, will always be remembered by you who have access to their writings and benefit by them, in common with other Christian societies. You will allow, I have no doubt, on reflection that it would indeed, (with the inconsiderable population in the Province,) be imprudent to admit the right of societies to dictate, on account of their present numerical strength, in what way the lands set apart as a provision for the Clergy shall be disposed of. Ample information on the question has been laid before the Imperial Parliament, and no inconvenience, while it is pending, can arise in respect to the occupation of these lands, for there are more acres now offered for sale than purchasers can be found for them.

In a few years the Province will be peopled by millions of our own countrymen, and many of the arrangements of His Majesty's Government will have reference naturally to the population of the Mother Country destined to occupy the waste lands of the Crown.

The system of education which has produced the best and ablest men in the United Kingdom will not be abandoned here to suit the limited views of the leaders of societies who perhaps

* It is not necessary in this Work to refer to this part of Sir John Colborne's charges against the Methodist Missionaries for their alleged "absurd advice" and "officious interference," further than to say, that these charges were fully met and inquired into, as stated in the Reverend Doctor Ryerson's "Story of My Life," (which I edited in 1883. See page 99 of that Book.) Doctor Ryerson, who was Editor of the *Christian Guardian* at that time, closes his account of the matter with these words: "The effect of this controversy was very salutary. His Excellency, having reconsidered the case, 'gave merited reproof and suitable instructions to the officers of the Indian Department in regard to their treatment of the Methodist Missionaries.' Doctor Ryerson further adds: 'We had no trouble thereafter on the subject.'"

have neither experience nor judgment to appreciate the value or advantages of a liberal education ; but the British Government will, I am confident, with the aid of the Provincial Legislature, establish respectable schools in every part of the Province, and encourage all societies to follow their example.

A Seminary, I hope, will not be styled exclusive that is open to everyone, merely because the classical Masters are brought from our own Universities.

It may be mentioned, without giving offence to the members of any church, or persuasion, that there are few individuals who think that Ministers of the Gospel can conduct political journals and keep themselves unspotted from the world, and put away all bitterness and wrath and clamor and evil speaking, which the attacks of their adversaries may engender ; or that their avocation will not force them to spend their time like the Athenians in their decline in nothing but "either to tell or hear something new." I am persuaded that the friends of religion will strongly recommend Ministers of the Gospel to labour to increase the number of Christians, rather than the number of their own sects or persuasions ; to close their churches and chapels against all political meetings, and indeed, all meetings for the transaction of secular business, and never to permit their consecrated places to be profaned by the party spirit of the hour.

J. COLBORNE.

GOVERNMENT HOUSE,
YORK, December, 1831.

THE REVEREND EGERTON RYERSON'S REJOINDER TO SIR JOHN COLBORNE.

This reply of His Excellency called forth a spirited rejoinder from the Reverend Egerton Ryerson ; which occupied several columns of the *Christian Guardian* of the 21st of December, 1831. The following is an extract from this rejoinder. It was in the form of a letter, addressed to Mr. Edward McMahon, Acting, Secretary to the Lieutenant-Governor, on the 15th December, 1831. In that rejoinder was pointed out the objections to the constitution and management of Upper Canada College, which, as Mr. Ryerson said, had been established "without even consulting the popular branch of the Colonial Legislature" :

His Excellency has thought proper to taunt the Methodist Clergy with their supposed ignorance, with having "neither experience nor judgment to appreciate the value and advantages of a liberal education." To the advantages of a university education the Methodist Clergy may not make pretensions, nor may many of the Episcopal Clergy, nor may hundreds of other Ministers of the Gospel, who have shown by their works that they were more thoroughly versed in the essential qualifications of able Ministers of the New Testament, than those who could pompously boast of their long residence in College halls. No ministry in the Province is more successful than that of the Methodists ; nor are any congregations larger and more numerous or more intelligent. At least one-fourth of the population have shown a preference for the ministrations of those, on whose incapacity His Excellency has seen fit to reflect. If exertions to extend "the advantages of a liberal education" indicate a "judgment to appreciate" them, the Methodist Clergy are, at this very hour, employing their utmost energies for the promotion of that great object among the youth of the Province. The only opinion expressed by the Methodist Conference in regard to a system of education, is, that it might be such as the local knowledge of the Provincial Legislature, in respect to the circumstances of the Province, might dictate. No objection that I am aware of has ever been made to classical masters from English Universities ; but, when Seminaries are established and placed under the sole direction of the Clergy of one Church,* without even consulting the popular branch of the Colonial Legislature, I cannot see how they are justly entitled to the character, confidence, or patronage of free public institutions.

* Lord Goderich, in the latter part of section two of his Despatch of the 2nd of November, 1831, states that Upper Canada College was established for the benefit of "various classes of the community," "as well as for that of the Church of England." (Page 55).

CHAPTER II.

PRESBYTERIAN EDUCATIONAL PROCEEDINGS, 1830, 1831.

On the 11th of January, 1830, a meeting of the Presbytery was held at Brockville, at which, (says a notice in the *Christian Guardian*):

The Committee on a Literary and Theological Institution in reporting the result of their enquiries, are happy in informing the Presbytery, that the erection of a Literary Institution, embracing a course of appropriate studies for such as are assigned for the Christian Ministry, meets with the most decided and individual approbation of the friends of Christ, and of the public generally.

The Reverend Doctor Gregg, in his "History of the Presbyterian Church in the Dominion of Canada, from the Earliest Times to 1834," (1885), states that at a meeting of the Presbytery, held at Brockville, on the 1st of June, 1830, at which were present, the Reverends William Smart, Robert McDowall, William Bell, Robert Boyd and Robert Lyle, it had petitioned the Legislature:

Complaining of the exclusiveness in the appointment of Trustees of the District (Grammar) Schools, and that a report on their Petition had been made by a Committee of the Legislative Council, etc.*

PRESBYTERIAN LITERARY AND THEOLOGICAL SEMINARY, 1830, 1831.

At the same meeting of the Presbytery, communications were submitted from the "Canada Education and Home Missionary Society in Montreal," with reference to which it was resolved "That the Committee of the Presbytery on the Literary and Theological Seminary, (the Reverend Messieurs Smart, Bell and Boyd,) be directed to enter into a further and more particular correspondence with the Committee appointed for that purpose by the above mentioned Society."

Another meeting of the Presbytery was held in South Gower, on the 26th and 27th of January, 1831, at which it was resolved: "That a respectful and immediate application be made to His Excellency the Lieutenant-Governor, Sir John Colborne, requesting him to procure for the United Presbytery of Upper Canada the privilege of choosing a Professor of Divinity in King's College, to sit in the Council, and in every respect to be on an equal footing with the other Professors in the said College." (Pages 374 and 376 of Reverend Doctor Gregg's History).

In June, 1831, the United Presbytery of Upper Canada issued an appeal for aid to establish a Literary and Theological Seminary at Pleasant Bay, Hillier, in Prince Edward County, and deputed Mr. Eliakim Cory, of that County to collect subscriptions in the United States and Canada. The *New York Evangelist* of the 13th of August, 1831, issued the following notice on the subject, which was copied into the *Christian Guardian* of September the 3rd, 1831 (see page 1):

We would invite the attention of our readers to the appeal of the United Presbytery of Upper Canada, which we publish below. We cannot but think that the interests of sound doctrine, and of vital religion in Canada, are very intimately connected with the establishment of the proposed Institution. We hope that the Christian public will contribute liberally for an object of so high importance. Mr. Cory appears before the public with well attested credentials, as the Agent of the Presbytery to collect donations. We understand that, in a few weeks, he will be in this City on his agency, when our citizens will have the privilege of contributing of their substance to promote another great and good object. The Appeal of the United Presbytery of Upper Canada, is as follows:

"The bearer hereof, Eliakim Cory, Esquire, of Pleasant Bay, Township of Hillier, County of Prince Edward, Province of Upper Canada, having been appointed Agent, on behalf of the Literary and Theological Academy, about to be erected in that place, to collect funds, books, etc., for this object, in such parts of the Province and United States, as Providence may direct him. The United Presbytery of Upper Canada most earnestly and affectionately recommend Mr. Cory and the object of his mission to the generous and sympathizing consideration of our Christian friends, and trust that the appeal now made to them on behalf of this infant and

*This Petition, and the Report thereon, and the criticism by the Presbytery on this Report, will be found on pages 298, 299; 307-310; 315 and 316 of the First Volume of this Documentary History.

overlooked country, will not be in vain. The Presbytery feels deeply convinced that such an Institution as is now contemplated, is of vital importance, not only to the prosperity of religion in that part of the country, but to the Province at large, especially as there is no public Seminary in the Province, where young men, as Presbyterians, can be trained for the work of the Gospel Ministry. In the intended Institution at Pleasant Bay, provision will be made for such pious and devoted young men, as may give themselves to the work of the Lord, in the public ministry of His Word in Canada.*

An Institution, such as is contemplated by the friends of the Redeemer, at Pleasant Bay, is essentially necessary for the spread of the Gospel in Upper Canada—yet, however desirable and important such an Institution is believed to be, it cannot be carried into effect without the kind aid and co-operation of the friends of science and religion in the Province and the United States. Mr. Cory, therefore, and the object of his mission, are commended to the care and blessing of the Great Head of the Church, and to the kind offices, attention and liberality, of all good men.

WILLIAM SMART,
Clerk of the Presbytery.

ANDREW BELL,
Moderator.

Dated at Brockville, Upper Canada, this 16th of June, 1831.

At a meeting of the "United Synod of Upper Canada," held on the 19th June, 1832, a matter of importance, which was brought before the Synod at this meeting, was the subject of Theological Education. This subject had previously engaged the attention of the United Presbytery, which had petitioned the Government for leave to choose a Professor of Divinity in King's College, and which had also entertained a proposal to establish a Literary and Theological Seminary at Pleasant Bay, Hillier, in Prince Edward County, was now submitted; regulations for its management were adopted; and a Committee was appointed to secure a legal title to the proposed site, and to solicit subscriptions throughout the Province, to assist in completing the necessary buildings. (History of the Presbyterian Church, etc., by Reverend Doctor Gregg, pages 444 and 445, 1885.)

A second session of the Synod, in connection with the Church of Scotland, was held in Kingston the 18th of August, 1832. . . . A reference from the Presbytery of York respecting King's College, and an Overture from the Reverend William Rintoul on the training of young men for the ministry, were laid before the Synod. The substance of the Overture was that the Synod recognize the great importance of a Seminary for educating and training of young men for the ministry within the bounds of the Synod; that the Synod should make an immediate and urgent application to the Government to found an Institution, or to endow professorships in connection with the Synod; and that, in the event of the Government not founding, or indefinitely delaying to found an Institution, or professorships, the Synod should take into serious consideration the importance of adopting a permanent measure for the education and training of ministers. The Synod resolved to adopt the first two articles of the Overture, and appointed a Committee to prepare a Memorial on the subject to the King.—Page 466 of the Reverend Doctor Gregg's History.

The Reverend Doctor George Bell, Registrar of Queen's University, Kingston, in his address at the Semi-Centennial celebration of that University in 1889, said:

The Presbyterian Church discussed the question of establishing a College from 1831 onward. The idea kept growing, but the undertaking seemed too great. A few students for the ministry were in Hamilton under the direction of Doctor Rae, Grammar School Master, in charge of the Presbytery of Hamilton.

Sanford Fleming, Esquire, C.E., C.M.G., Chancellor of Queen's University, in his address on the same occasion said:

The Church of Scotland in Canada . . . took every means to promote the establishment of a College, which would be generally accessible to all classes of the people, and which would command the confidence and support of all denominations of Christians.

In commenting on the recent educational proceedings in Upper Canada, (in 1830-1831,) the Editor of the *New York Christian Advocate and Journal*, thus summarized what had been done in this direction:

In the meantime, we would just remark that the Government have recently established a College at York, the capital of Upper Canada; and that the Methodists have for some time past been pursuing measures for the establishment of a Literary Institution, we believe at Cobourg, in the Newcastle District. We hope these, together with the one now in contemplation by the Presbytery of that Province, may all be founded on good principles, and succeed in diffusing the lights of science and religion.

* In this commendation of Mr. Cory, Upper Canada is spoken of as "this infant and overlooked country."

CHAPTER III.

EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE IN 1831.

On the 8th of January, 1831, His Excellency, Sir John Colborne, Lieutenant-Governor, opened the first session of the Eleventh Parliament of Upper Canada, with the usual Speech from the Throne. In it he made no reference to the subject of Education, or Schools.

NEW AND PROMINENT MEMBERS OF THE HOUSE OF ASSEMBLY.

This being a new Parliament forty-nine members were elected to the House of Assembly, representing twenty-eight constituencies. Of the new members the most noted were, Messieurs Christopher Alexander Hagerman, George Strange Boulton, William Botsford Jarvis, William Benjamin Robinson, Charles Ingersoll, Allan Napier Macnab, John Brant and Henry John Boulton. Of these, Messieurs C. A. Hagerman and H. J. Boulton afterwards became Judges, and A. N. Macnab, Speaker of the House, and leader of the Royal Volunteer Forces in putting down the Rebellion of 1837. Mr. W. B. Robinson, brother of Chief Justice Robinson, was afterwards a Minister of State, after the Union of the Provinces of Upper and Lower Canada in 1840.

The members of the House of Assembly who took part in its educational proceedings were, Messieurs Mahlon Burwell, Rowsell Mount, Duncan McCall, Reuben White, Jesse Ketchum, Bartholomew C. Beardsley, Alexander Fraser, John Clark, William Morris, William Buell, junior, Christopher Alexander Hagerman (Solicitor-General), William Berczy, Alexander Martin, Charles Ingersoll, William Crooks, Allan Napier Macnab, Marshall S. Bidwell, John Campbell, Philip Vankoughnet, John Philip Roblin, James Hunter Samson, William Chisholm, William Botsford Jarvis and Stephen Randal.

10th January, 1831.—Mr. Mahlon Burwell gives notice that he will, on to-morrow, move for leave to bring in a Bill to repeal the law which requires that the District (Grammar) School for the London District shall be opened and kept at the Town of Vittoria, and that the said District (Grammar) School shall in future be opened and kept in the Town of London, in the London District.

Mr. William Lyon Mackenzie gives notice that he will, on to-morrow, move an Address to His Excellency for information relative to the estate of the late Mr. William Weekes.

12th January, 1831.—Agreeably to the Order of the Day, the Petition of Mr. Ira Schofield, and one hundred and forty others of the London District, setting forth that no School house was ever erected in the Town of Vittoria, and that the Public District (Grammar) School has not been kept at the said Town of Vittoria since the destruction of the Gaol and Court House by fire, although the Statute, 59th George III., Chapter 4, so directs; and as the District Town has been removed from Vittoria to London, and, as a very convenient House has been erected

for the purpose of a District (Grammar) School in the latter place, they pray that the above mentioned Statute may be repealed, and the said District (Grammar) School may be established by law in the Town of London.

12th January, 1831.—Agreeably to notice, Mr. William Lyon Mackenzie, seconded by Mr. Jesse Ketchum, moves that an humble Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to inform this House of all proceedings had under the Act vesting the estate of the late Mr. William Weekes in Trustees for the purposes of Education, and why the intention of the Testator has not been carried into effect. . . . And that Messieurs Bartholomew C. Beardsley and Jesse Ketchum be a Committee to draft and report said Address, which was ordered.

Mr. Bartholomew C. Beardsley, from the Select Committee appointed to draft an Address to His Excellency the Lieutenant-Governor, on the subject of the estate of the late Mr. Weekes, reported a draft of an Address, which was received and read twice, adopted and ordered to be engrossed and read a third time to-day.

Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, on the subject of the estate of the late Mr. William Weekes, was read the third time, passed, and signed by the Speaker, and is as follows :

To His Excellency, Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament Assembled, humbly request Your Excellency to cause to be laid before this House, for its information, a full, true and particular account of all proceedings had under an Act passed in the second year of His late Majesty's reign, intituled : "An Act to appoint Trustees to the will of William Weekes, late of York, Esquire, deceased, to carry into effect the provisions thereof," by virtue of which the estate of Mr. Weekes became vested in the Reverend Doctor Strachan, the Chief Justice (Robinson), and the Attorney-General (Boulton), for the purposes of Education, together with a statement of the condition in which the said Mr. Weekes' real and personal estate now is, and the causes why the benevolent intentions of the Testator have not been carried into effect.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
12th January, 1831.

Mr. William Lyon Mackenzie, seconded by Mr. William Buell, junior, moves that Messieurs Jesse Ketchum and Archibald McDonald be a Committee to wait upon His Excellency, to ascertain when he will be pleased to receive the Address of this House, and to present the same, which was ordered.

13th January, 1831.—Agreeably to notice, Mr. Mahlon Burwell, seconded by Mr. Rowsell Mount, moves that the 40th rule of this House be dispensed with, in so far as that he shall have leave to bring in a Bill to repeal the law now in force, which requires that the District (Grammar) School for the London District shall be opened and kept at the Town of Vittoria, and to enact that the said District (Grammar) School shall in future be opened and kept at the Town of London, in the London District.

In amendment, Mr. Duncan McCall, seconded by Mr. Reuben White, moves that after the word "leave," in the original motion, the words "this day three months" be inserted. On which the House divided, and the yeas and nays were taken as follows : Yeas 13 ; Nays 15 ; so the motion in amendment was lost.

14th January, 1831.—Mr. Jesse Ketchum, one of the Committee to wait upon His Excellency the Lieutenant-Governor, with the Address of this House for information relative to the estate of the late Mr. Weekes, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN :

I will direct the proceedings mentioned in this Address to be forwarded to the House.

J. C.

GOVERNMENT HOUSE,
YORK, 14th January, 1831.

17th January, 1831.—Mr. Bartholomew C. Beardsley gives notice that he will, on to-morrow, move that it be resolved that a Committee be appointed to inquire into the state of the Niagara District (Grammar) School, what are the qualifications of its Teachers ; what branches of learn-

ing are taught in said School ; the mode of instruction, management and discipline thereof, and the number of scholars taught therein ; with power to send for persons and papers ; and that the said Committee be composed of Messieurs Marshall S. Bidwell, William Morris, William Lyon Mackenzie and Edward Jessup.

20th January, 1831.—Mr. William Morris gives notice that he will move to-morrow, for an Address to His Excellency the Lieutenant-Governor, requesting His Excellency to lay before this House copies of all documents which have been received from His Majesty's Government, authorizing the survey, reservation and sale of certain Townships of land called "School Townships."

Mr. William Buell, junior, gives notice that he will, on to-morrow, move for leave to bring in a Bill to alter and amend the laws relating to Common Schools in this Province.

21st January, 1831.—Mr. Alexander McMartin, from the Committee appointed to draft an Address to His Excellency the Lieutenant-Governor, for documents relative to School Reserve Townships, reported a draft, which was received, and which was read twice, adopted and ordered to be engrossed, and read a third time this day.

Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, for information relative to lands reserved for School purposes, was read the third time, passed, and signed by the Speaker, and is as follows :

To His Excellency, Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most respectfully request that Your Excellency may be pleased to communicate to this House, copies of all such documents as Your Excellency may be possessed of, which authorize the survey, reservation, sale, or appropriation, of certain lands in this Province, called School Townships.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
January the 21st, 1831.

Mr. Alexander Fraser, seconded by Mr. John Clark, moves that Messieurs William Morris and Alexander McMartin be a Committee to wait on His Excellency, to know when he will be pleased to receive the Address of this House, on the subject of the reservation of School Townships, and to present the same. It was so ordered.

24th January, 1831.—Mr. William Morris, from the Committee to wait on His Excellency the Lieutenant-Governor, with the Address of this House, requesting information on the subject of the reservation of School Townships, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN :

The documents required in this Address shall be laid before the House of Assembly.

J. C.

GOVERNMENT HOUSE,
YORK, 24th of January, 1831.

25th January, 1831.—Mr. John Clark brought up the Petition of the Reverend Mr. James Clarke, and three others, Trustees of Grantham Academy, which was laid on the Table.

Agreeably to the Order of the Day, the Petition of Mr. Alexander Davidson, of Port Hope, praying for protection in the publication of a Provincial Spelling Book, in such way, and for such period, as to the House may appear reasonable and proper was read.

Mr. George Strange Boulton, seconded by Mr. William Chisholm, moves that the Petition of Mr. Alexander Davidson, of Port Hope, be referred to a Committee of Messieurs Hugh Christopher Thomson and William Elliott, with power to send for persons and papers, and to report thereon by Bill, or otherwise.

27th January, 1831.—Agreeably to the Order of the Day, the Petition of the Reverend James Clarke, and three others, Trustees of the Grantham Academy, soliciting this House to take the subject of said Academy into consideration, and vest such endowments therein for its continued support, as to its wisdom may seem meet, was read.

Mr. John Clark, seconded by Mr. John Willson, moves that the Petition of the Reverend James Clarke, and others, Trustees of the Grantham Academy, be referred to the Committee of Supply, which was ordered.

29th January, 1831.—Mr. Mahlon Burwell gives notice that he will, on Monday next, move for leave to bring in a Bill to alter and amend the laws now in force for the encouragement of Common Schools in this Province.

1st February, 1831.—Agreeably to the Order of the Day, the House went into Committee of the Whole on the York Market Bill. Mr. William Buell, junior, was called to the chair. The House having resumed, Mr. Buell reported that the Committee had agreed to a Resolution which was adopted as follows: *Resolved*, That the report of the Select Committee to which was referred the York Market Bill, be referred back again to the same Committee, and that it be instructed to enquire on what footing the School Lot stands. This was done and the Committee on the York Market Bill made their second report in regard to the School Lot as follows:

The lot on the diagram of the Market Square, York, and designated as lot No. 12, was appropriated in 1825 by the Magistrates as a site for a Common School for the Town of York, for which they exacted no rent; but no entry on the books of the Clerk of the Peace can be found of such order. The following is the Letter from Mr. Billings to the Chairman of the Committee, dated York, 2nd February, 1831:

SIR,—The School Reserve was appropriated by the Magistrates, and a School House was built by subscription on the lot; it is now, I believe, in the possession of Mr. Thomas Appleton, School Master, York.

Mr. Mahlon Burwell gives notice that he will, on to-morrow, move that a Standing Committee be appointed on the subject of Education generally in this Province, and to report thereon from time to time, as in the course of their enquiries they may find it necessary; that it be a principal duty and business of the said Committee to inquire whether an appropriation of 500,000 acres of land was not made in virtue of a Joint Address of both Houses of the Provincial Parliament, adopted at their session of 1797, or 1798; and whether the same is not subject to the control of the Legislature of this Province; to enquire if anything, and what, has been done with the said lands, or any part of them, and what is their present situation; that the said Committee do inquire in what way the several District (Grammar) Schools of this Province can best be endowed with portions of the said lands, so as to render them more efficient, and fitting for the improvement of the rising generation than they are at present; and that the said Committee have power to send for persons and papers.

2nd February, 1831.—Mr. Mahlon Burwell gives notice that he will, on to-morrow, move that it be resolved that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to direct the proper Officer to lay before this House a copy of a letter from His Grace the Duke of Portland, one of His Majesty's principal Secretaries of State, to His Excellency Major General John Graves Simcoe, late Lieutenant-Governor of this Province, in the year 1796, [1797], on the subject of Schools and Education within the same; and a copy of a Joint Address of both Houses of the Provincial Parliament in the year 1797, to His Excellency, Lieutenant-Governor Simcoe, and a copy of a Joint Address of both Houses, to His late Majesty, King George the Third, by which it was accompanied, praying that His Majesty would be graciously pleased to direct the Executive Government of this Province to appropriate a portion of the waste lands of the Crown, for the establishment and support of a respectable Grammar School in each District, and a College for the instruction of youth in the different branches of liberal knowledge; and a copy of His Grace the Duke of Portland's Despatch of November, 1797, communicating to the then Lieutenant-Governor, His Majesty's gracious compliance with the wishes of the Legislature of this Province, in regard to the endowment of Schools, and the support of Education, and also copies of the Report of the Honourable the Executive Council, the Judges and Law Officers of the Crown on that subject, and the resolutions entered into by them in reference thereto.

Mr. Secretary Mudge brought down from His Excellency, the Lieutenant-Governor, several Messages and Documents. Having retired, the Speaker read one of the Messages as follows:

J. COLBORNE:

The Lieutenant-Governor transmits to the House of Assembly, copies of authorities for reserving the School Townships, and also such documents as will afford information to the House respecting the measures which have been proposed to secure endowments for the District (Grammar) and for Township (Common) Schools.

The Lieutenant-Governor also transmits to the House of Assembly an account of the Trustees of the late Mr. Weekes.*

J. C.

GOVERNMENT HOUSE,
YORK, 2nd, February 1831.

*This "Account of the Trustees" will be found on pages 181 and 182 of Volume I. of this Documentary History. See also page 189 of that Volume.

Mr. William Morris, seconded by Mr. Solicitor-General Hagerman, moves that the Documents sent to this House by His Excellency the Lieutenant-Governor, on the subject of the School Lands of this Province, be referred to a Select Committee, composed of Messieurs Mahlon Burwell and William Berczy, with power to send for persons and papers, and to report thereon by Bill, or otherwise.

In amendment, Mr. Peter Perry, seconded by Mr. Marshall S. Bidwell, moves that the names of Messieurs William Buell, junior, and John Campbell be inserted after the name of William Berczy, which was carried. The original motion, as amended, was then put and carried.

Mr. William Morris, seconded by Mr. Mahlon Burwell, moves that two hundred copies of the Documents sent to this House by His Excellency the Lieutenant-Governor, relative to the School Lands of this Province, be printed for the use of Members, which was ordered.

3rd February, 1831.—Mr. Bartholomew C. Beardsley brought up the Petition of Mr. Truman Raymond, of the Town of Niagara, *re* Mr. Ralston, Teacher, which was laid on the Table.

Mr. William Morris, Chairman of the Select Committee on School Lands, seconded by Mr. Alexander Fraser, moves that an Address be presented to His Excellency the Lieutenant-Governor, requesting His Excellency to lay before this House copies of the following Documents referred to in the paper sent to this House by His Excellency on the 2nd instant, respecting School Lands, viz :

1. The joint address to His Majesty of the Legislative Council and House of Assembly, referred to in the Despatch of the Duke of Portland of July 3rd, 1797.

2. The report of the Executive Council and the opinion of the Judges and Law Officers of the Crown in Upper Canada, on the same subject, dated 1st December, 1798.

3. Papers numbers 1 and 2, referred to in the letter of Mr. Secretary Hillier, dated Government House, May 13th, 1823.

4. So much of the despatch to Sir Peregrine Maitland, by the Earl of Bathurst, as relates, to the School Lands, together with all such documents and proceedings as relate to their appropriation, transfer or sale, and also an account of the number of acres of these lands sold in each District ; the average price per acre ; the amount of money received by their sale ; and an account in detail of its application, and the expense of collection ; and that Messieurs Mahlon Burwell and William Berczy be a Committee to draft and report the same, which was ordered.

Mr. Mahlon Burwell, from the Committee to draft an Address to His Excellency the Lieutenant-Governor for certain documents and information relative to School Lands, reported a draft, which was received and read twice, adopted, and ordered to be engrossed and read a third time this day.

Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor on the subject of lands for school purposes, was read the third time, passed and signed, and is as follows :

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, humbly request Your Excellency to lay before this House copies of the following Documents referred to in the paper sent to this House by Your Excellency on the second instant, respecting School Lands, viz :

1. The Joint Address to His Majesty, of the Legislative Council and House of Assembly, referred to in the despatch of the Duke of Portland, dated, 3rd of July, 1797.

2. The report of the Executive Council, and the opinion of the Judges and Law Officers of the Crown, in Upper Canada, on the same subject, dated, 1st of December, 1798.

3. Papers, numbers 1 and 2, referred to in the letter of Mr. Secretary Hillier, dated Government House, May 13th, 1823.

4. So much of the Despatch to Sir Peregrine Maitland by the Earl Bathurst, Colonial Secretary, as relates to the School Lands, together with all such documents and proceedings as relate to their appropriation, transfer, or sale ; and also on account of the number of acres of these lands sold in each district ; the average price per acre ; the amount of money received by their sale ; an account in detail of its application, and the expense of collection.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
3rd February, 1831.

Mr. William Morris, seconded by Mr. Alexander McMartin, moves that Messieurs William Chisholm and Charles Ingersoll be a Committee to wait on His Excellency the Lieutenant-Governor to know when he will be pleased to receive the Address of this House on the subject of School Lands, etc., and to present the same, which was ordered.

4th February, 1831.—Mr. Charles Ingersoll, from the Committee to wait upon His Excellency the Lieutenant-Governor with the Address of this House of certain Documents relative to School Townships and lands set apart for the purposes of Education, etc., reported delivering the same, and that His Excellency had been pleased to make thereto the following answer.

GENTLEMEN :

I will direct the information for which you apply in this Address to be laid before the House of Assembly.

J. C.

GOVERNMENT HOUSE,

YORK, 4th of February, 1831.

7th February, 1831.—Mr. Secretary Mudge brought down from His Excellency the Lieutenant-Governor, a Message. Having retired, the Speaker read the same as follows :

J. COLBORNE :

The Lieutenant-Governor, in compliance with an Address respecting the School Townships, transmits the accompanying Documents, and acquaints the House of Assembly, that the Joint Address [of the Legislature in 1797] referred to, cannot be found ; but that this document appears unnecessary to establish, under whose charge the reserves were placed ; as the substance of the Address is quoted in the Duke of Portland's Despatch [of 1797], and the intention of His Majesty communicated to authorize the Governor in Council to set apart a portion of the Crown lands towards the foundation of a school fund, "out of which His Majesty may allot such salaries as he shall judge proper."

2. The Reports of the Executive Council on this subject are annexed, on the framing of which, it will be perceived, the Judges and Law Officers of the Crown were consulted.*

3. The document No. 1, referred to in the letter of the 13th May, 1823, is an extract of Sir Peregrine Maitland's Despatch, respecting School Lands, and the organization of Schools ; and the document No. 2, referred to, has been laid before the House. It is an extract from Lord Bathurst's Despatch, in answer to the suggestions of Sir Peregrine Maitland.†

4. The account of the Board of Education to the end of the year 1829, including the expense of collection of proceeds of sale of School Lands, and their application has been laid before the House of Assembly at the last session.‡

5. The detailed account of the number of acres sold in each township, and the account of the Board to the end of 1830, shall be forwarded to the House.

6. The Lieutenant-Governor acquaints the House, that the arrangements for the endowment of the Upper Canada College, are not yet completed ; and that he has suggested the expediency of dividing, and exchanging part of the land of the School Townships, for the purpose of raising the value of the School Lots, and transferring an equal number of acres in other townships to the General Board of Education.§

7. The Report of the Executive Council on this subject is annexed.

J. C.

GOVERNMENT HOUSE,

YORK, 7th February, 1831.

NOTE.—Copies of these Reports and Documents, transmitted to the House of Assembly by Sir John Colborne have been arranged chronologically in Volume I. of this Documentary History. See reference to the pages in that Volume in the foot notes.

Mr. William Morris, seconded by Mr. Mahlon Burwell, moves that the Message of His Excellency the Lieutenant-Governor on the subject of School Lands, together with the accompanying Documents sent down by His Excellency this day, be referred to the Select Committee on School Lands, which was ordered.

* Documentary History of Education in Upper Canada, Volume I., pages 17-25.

† *Ibid*, page 179.

‡ *Ibid*, page 265.

§ *Ibid*, page 289.

Mr. William Morris seconded by Mr. Mahlon Burwell, moves that two hundred copies of the Message of His Excellency on School Lands, and the documents accompanying it, be printed for the use of members, which was ordered.

17th February, 1831.—Mr. Secretary Mudge brought down from His Excellency the Lieutenant-Governor, several Messages and documents. Having retired, the Message relating to Education was read by the Speaker as follows :

J. COLBORNE :

Thé Lieutenant-Governor transmits to the House of Assembly copies of such Reports respecting District (Grammar) and Common Schools, as have been received from the Trustees and District Boards of Education, respectively, for the past year.

J. C.

GOVERNMENT HOUSE,
YORK, 17th February, 1831.

22nd February, 1831.—Mr. William Crooks, seconded by Mr. Allan Napier Macnab, moves that the report of the Select Committee to whom was referred the Petition of Mr. Truman Raymond, against Mr. James J. Ralston, Teacher of the Niagara District (Grammar) School, together with the evidence had before the Committee, and all proceedings connected therewith, be expunged from the Journals, and that the same be not printed therewith, on which the House divided and the yeas and nays were taken as follows : Yeas, 25 ; Nays, 11. The motion was carried in the affirmative by a majority of fourteen, and was ordered accordingly.*

Mr. William Morris, from the Select Committee to whom were referred the several documents sent down by the Lieutenant-Governor, the subject of School Lands, informed the House that the Committee had agreed to a Report, which he was directed to submit for the adoption of the House. The Report was received and was read as follows :

FIRST REPORT OF SELECT COMMITTEE OF THE HOUSE OF ASSEMBLY (ON SCHOOL LANDS,) 1831.

To the Honourable the Speaker of the Upper Canada Commons House of Assembly :

The Committee appointed to consider and report on the Documents sent down to this House by His Excellency the Lieutenant-Governor, on the subject of School Lands, respectfully beg leave to make this their first Report :

Your Committee upon a perusal of these important papers learn that in the year 1797, the Legislative Council and House of Assembly of this Province, passed a Joint Address to His Majesty, “ imploring that His Majesty, would be graciously pleased to direct the appropriation of a certain quantity of the waste lands of the Crown, as a fund for the establishment and support of a respectable Grammar School in each District thereof ; and also of a College, or University, for the instruction of youth in the different branches of liberal knowledge ; ” to which His Majesty was graciously pleased to express his intention, to comply with the wishes of the “ Legislature of His Province of Upper Canada, in such a manner as should be judged to be the most effectual :

“ First, by the establishment of Free Grammar Schools in those Districts in which they are called for, and, in due process of time, by establishing other Seminaries of a larger and more comprehensive nature, for the promotion of religious and moral learning, and the study of the arts and sciences.” (See pages 16 and 17 of the First Volume of this Documentary History.)

For which purpose Mr. President Russell was directed to consult the members of the Executive Council, and the Judges and Law Officers of the Crown ; and to report in what manner, and to what extent, a portion of the Crown Lands might be appropriated, and rendered productive towards the formation of a fund for these purposes, out of which His Majesty might allot such salaries as he should judge proper for the School Masters of such Free Schools as should thereafter be appointed ; and, on the 1st December, 1798, the Executive Council reported to Mr. President Russell : “ That an appropriation of 500,000 acres, or ten townships, after deducting the Crown and Clergy sevenths, would be a sufficient fund for the establishment and maintenance of the royal foundation of four Grammar Schools, and an University, in the Province of Upper Canada ; ” and that the proposed School fund should, when raised, be applied :

1st. For the erection of the necessary Buildings.

2nd. For the payment of the salaries of the Masters.

3rd. For keeping the Buildings in repair, and the purchase of books and philosophical apparatus ; and that £3,000 currency, should be applied to erect each (District) School building ; and £180 per annum for the establishment and support of a Free Grammar School in each District.

* Personal charges against the literary qualifications of the Teacher, which were not sustained. (See page 19.)

The Executive Council also reported that the Towns of Cornwall, Kingston, Newark and Sandwich were, at that time, the most proper places for the sites of four Schools first necessary ; and that the Town of York was the most suitable for a University ; and that two of the Schools, namely, at Kingston and Newark, should be commenced first ; and that whenever the appropriated fund should be found sufficient, not only to bear the expense of the erection and endowment of those two Schools, but also to leave a residue sufficient for the establishment and future maintenance of a Seminary of a larger and more comprehensive nature, that steps should be taken to endow the two other Schools.

The Executive Council recommended that the provision for the establishment and maintenance of the University, should at least be equal to that for the four schools taken together.

Your Committee, upon looking over the remaining documents, which His Excellency had the goodness to communicate to this House, are informed that the attention of the Council was again directed to the School Land reservation, on the 7th January, 1819 ; and that they reported to His Excellency, Sir Peregrine Maitland, that no trace of any answer to the report of the Council of 1st December, 1798, could be found in the Council Office ; that as they were of opinion, with the then Attorney-General, (Robinson,) that the appropriation of land was not sufficiently sanctioned to authorize a grant in other portions than limited by His Majesty's Commission, they thought it proper to recommend that His Excellency should call the attention of His Majesty's Government to a formal sanction to sell, lease, grant and dispose of the said 500,000 acres of land for the purpose of establishing a University in this Province, endowed by Royal Charter, as provision for District (Grammar) Schools was not, by them, thought necessary out of this fund, as it had been already made by the Legislature ; and that, in order to construct the necessary building, the sum of £10,000 would be required with an endowment of £4,000 per annum for the payment of salaries.

From this condensed view of the proceedings of the Executive Council, in 1798, on the munificent provision for the diffusion of education in this Province, the Committee are struck with the singular fact that no apparent benefit has resulted to the inhabitants of the country from the School reservation for a period of thirty years ; and that the original intention of the Legislature expressed in the Joint Address to His Majesty in July, 1797, as well as His Majesty's most gracious desire to meet their wishes by the establishment of Free Grammar Schools in those Districts in which they are called for, and in due process of time to establish other Seminaries of a more extensive nature, have hitherto, as far as your Committee can judge, been lost sight of, and for no other reason that your Committee can discover, than that a (Grammar) School has, by an Act of the Legislature (in 1807) been already established in each District, with a salary of £100 to the Master.

But this very limited provision, your Committee respectfully submit, ought not to deprive the people of their just claim to a participation in the benefits of the School lands, and, to that end, the Committee suggest that the Legislature ought now to address His Majesty, setting forth the great value of these lands and the ample means which they afford to carry into effect the benevolent intentions of His late Royal Father, (in 1798), by an endowment from their proceeds for each District of at least £400, which, added to the present appropriation, would support eleven respectable Seminaries, where the youth of the Province generally might receive a liberal education, without being removed many hundred miles from the tender care and watchful authority of their parents, as must be the case if these lands are exclusively applied to establish and support King's College, or any other extensive University, which can only be viewed as of benefit to those whose wealth enables them to bear the great expense of sending their children to the Capital of the Province.

Your Committee also recommend that, besides the above endowment, the sum of £2,000 might be set apart for the annual support of a Provincial Seminary at York, whether called Upper Canada College, or by any other name ; and that a suitable sum should be expended to erect the necessary Buildings, and also to defray the expense of buildings for Free Grammar Schools [in the various Districts, as originally intended].

That, besides these endowments, your Committee are of opinion that the great value and extent of the reservation will afford the means of providing a salary of £50 each to the Teachers of at least twelve Township (Common) Schools in every District, and thus give to Upper Canada a System of Education that might well be envied by any other Colony in His Majesty's Dominions.

The data upon which your Committee have made the foregoing suggestions are the following, viz. : That the whole reservation of 549,217 acres, if sold at the average price of ten shillings (£2) per acre, would give a capital of £274,608, producing, if invested at the rate of 5 per cent. interest, an annual income of £13,730, a sum sufficient to endow the Schools, (as detailed in the following table,) which your Committee conceive to be necessary, besides leaving an important balance to defray the expense of the sales and the collecting of the money.

11 (Free) Grammar Schools at £400 each is.....	£4,400
1 College at York	2,000
132 Township (Common) Schools, being 12 in each District, at £50.	6,600
Balance to defray the expenses of sales, etc.....	730
	— £13,730 : \$54,920.

Your Committee, in assuming that these lands will sell at the above rate, conceive that they have much underrated their actual value, as it is generally understood that the Council of King's College have estimated 225,273 acres of Crown Reserves, which were exchanged for, and now form a part of the School reservation, as worth one pound an acre.

Your Committee, taking all the circumstances of this highly important subject into their most serious consideration, and averse to an extensive endowment out of this fund to King's College, or any other University, until the original intention of founding a Free Grammar School in each District, has first been carried into effect, earnestly recommend to the House that an humble Address be forthwith transmitted to His Majesty, respecting the manifest injury that is inflicted on the inhabitants of this Province by the endowment of the best half of the School reservation for the establishment of a Seminary far exceeding the wants of the country, and solemnly beseeching His Majesty to listen to the anxious desire of his faithful subjects in Upper Canada by arresting the alienation of these lands from their original purpose, and placing them under the control of the Legislature, and, for this object, your Committee submit the following Resolutions for the consideration of the House. All of which is respectfully submitted.

COMMITTEE ROOM, HOUSE OF ASSEMBLY,
YORK, 23rd February, 1831.

WILLIAM MORRIS,
Chairman.

IMPORTANT AND COMPREHENSIVE CHARACTER OF THIS REPORT.

No one can read this Report in the light of the past and later educational legislation without being struck with its comprehensive character. It admirably summarized the causes of former discontent throughout the Province at the ineffectiveness of previous educational efforts, and of the failure of the District (Grammar) School Acts of 1807, 8, to provide for the general education of even the class of the community for which these higher Schools were originally intended. The effect of the Report was to call forth from the Executive Council, in the following April, (page 44.) under direction of Sir John Colborne, a full explanation of the causes why Free Grammar Schools had not been established in the several Districts, as was intended in the Duke of Portland's Despatch of the 4th of November, 1797.

Few but the residents of the places, in which the old District (Grammar) Schools were situated, could avail themselves of their advantages. Hence the spasmodic efforts, made in such places as St. Catharines and Bath, etc., to supply the want of such Schools in these places, remote as they then were from the towns,—in the one case from Hamilton and in the other from Kingston—in which the Public (Grammar) Schools had been established.

Hence also the growing discontent with the system which was developed in the House of Assembly of 1809-1817, when the Members persistently sought to repeal, or modify, the District (Grammar) School Acts, and to apply part, at least, of their endowment to the promotion of popular education, in the shape of Common Schools. (See page 120, of the First Volume of this Documentary History.)

It is a curious and interesting fact to notice that this educational Report of 1831 laid down the principle of Grammar School expansion and legislation, which was, without hesitation, adopted twenty-five years later; while the principle of free Schools, of which we are now so proud, was enunciated and

strikingly illustrated by the examples of Nova Scotia and the United States by the Reverend Doctor Strachan, in his elaborate Report. (as President of the General Board of Education of Upper Canada,) to Sir John Colborne, dated the 5th of February, 1829. (See page 267, of the First Volume of this Documentary History.)

The following are the Resolutions appended to the Report. They embody in brief, yet clear language, the conclusions arrived at by the Committee. They also contain, (in Resolutions Nos. 4 and 5,) its recommendations, as to the proceedings of the House of Assembly in this matter, and of its educational legislation in the future :

SERIES OF RESOLUTIONS SUBMITTED BY THE SPECIAL COMMITTEE ON SCHOOL LANDS, 1831.

Resolved, 1. That His Majesty, in the year 1797, was graciously pleased to communicate to the Government of this Province, by a Despatch from the Duke of Portland to Mr. President Russell, in answer to a Joint Address of the Legislature (in 1797), His Majesty's intention to set apart a certain portion of the waste lands of the Crown for a fund for the establishment and support of a Free Grammar School in those Districts in which they are called for, and in due process of time to establish other Seminaries of a more comprehensive nature.

Resolved, 2. That although more than thirty years have elapsed since His Majesty made this gratifying communication, it does not come within the knowledge of this Committee, that even one Free Grammar School has been endowed from these lands, or any other Seminary established in consequence of that reservation, except a School at the seat of Government, called the Royal Grammar School.

Resolved, 3. That the establishment by the Legislature of a Public (Grammar) School in each District (in 1807), with a salary of £100 currency, paid out of the Provincial Treasury to the Master, does not afford sufficient means to instruct the youth of the Province in the several branches of classical and scientific learning, and ought not, therefore, to be considered as a reason for withholding the support which His Majesty intended for the District Grammar Schools.

Resolved, 4. That it is most important to the contentment and welfare of the people of this Province, that the School Lands be applied to the purposes for which they were originally intended, and immediate steps taken to represent to His Majesty's Government, that the several Districts, from their extensive and rapidly increasing population, are now in a state to require the establishment of Free Grammar Schools, with a suitable endowment, which Schools, if incorporated with the present District (Grammar) Schools, would afford the means of respectable support to a Master and two Assistants in each, and thereby enable the inhabitants generally to confer the blessings of a liberal education on their children, and find employment as Masters for such of them as may be found to have made necessary proficiency in the acquirement of classical and scientific knowledge.

Resolved, 5. That it would be much more satisfactory to the people of this Province if the moneys arising from the sale of School Lands were paid into the hands of the Receiver-General, and the fund placed at the disposal of the Legislature, instead of the present arrangement, as not only the control of the funds, but the general superintendence and organization of the whole system of management would thus be open to public inspection and approval.

Resolved, 6. That an humble Address be presented to His Majesty, setting forth the substance of the foregoing Resolutions, and imploring His Majesty's early attention to the anxious hope of His Majesty's faithful subjects of Upper Canada, that the School Lands may not be applied to any other object than that for which they were intended by His Majesty's late Royal Father, George the Third.

Mr. William Morris, seconded by Mr. Mahlon Burwell, moves that the House do, on to-morrow, resolve itself into a Committee of the Whole on the Report just read, which was ordered.

Mr. William Morris, seconded by Mr. Mahlon Burwell, moves that 500 copies of the Report of the Select Committee, on the subject of School Lands, be printed for the use of Members, which was ordered.

25th February, 1831.—Mr. Marshall S. Bidwell, seconded by Mr. John Campbell, moves, that it be

Resolved, That an humble Address be presented to His Majesty, setting forth [among other things], That His Majesty's faithful Commons, deeply impressed with the injustice and impolicy of excluding any of His Majesty's subjects in this Province from an equal share of the benefit and assistance to be derived from the Clergy Reserves, have desired that they should be sold and the money produced by the sale be applied, under the direction and control of the Provincial Legislature, to the general improvement of the Province and the support of Education.

2. That the Charter of King's College, which we are persuaded was intended for the benefit of His Majesty's subjects generally, contains principles of religious supremacy and exclusion, in favour of the Church of England, which are inconsistent with that equality of rights and privileges which Christians of all Denominations in this Province deserve, and which they confidently expect from His Majesty's gracious and paternal feelings towards them.

3. That we most humbly request that His Majesty will be pleased to take the Charter into His most gracious consideration, and to cause such a modification to be made in its provisions as will entirely remove from it everything of a sectarian or exclusive character, and adapt it to the wants and wishes of the people of this Province, and that Messieurs Peter Perry and James Lyons be a Committee to draft and report said Address, and that the 32nd rule of this House be dispensed with, so far as relates to this motion.

In amendment, Mr. Philip Vankoughnet, seconded by Mr. Allan N. Macnab, moves that the question be not now put; but that the House do, on to-morrow, resolve itself into a Committee of the Whole House upon the Resolution. On which the House divided and the yeas and nays were taken as follows:

YEAS.—Messieurs Berezy, Boulton, Brown, Burwell, Chisholm, Clark, James Crooks, William Crooks, Elliott, Alexander Fraser, Richard Duncan Fraser, Ingersoll, Jarvis, Jessup, Lewis, McMartin, Macnab, Magon, Morris, Mount, Robinson, Samson, Thomson, Vankoughnet, John Willson and William Wilson.—27.

NAYS.—Messieurs Beardsley, Bidwell, Buell, Campbell, Cook, Duncombe, Howard, Ketchum, Lyons, McCall, Archibald McDonald, Donald McDonald, Mackenzie, Perry, Randal, Roblin, Shaver and White.—18.

The question of amendment was carried in the affirmative by a majority of nine, and was ordered accordingly.

7th March, 1831.—Mr. William Berezy, Chairman of the Committee on Finance, informed the House that the Committee had agreed to a Report, which he was ready to submit whenever the House would be pleased to receive the same. This Report was received and read. The following portions of it related to the Expenditure for District (Grammar) Schools, viz.:

The Niagara District (Grammar) School, from 1st November, 1829, to the 30th June, 1830.....	£66.11.6½
The District (Grammar) Schools in the Johnstown, Gore, London, Bathurst, Eastern, Midland, Newcastle, Home, Ottawa and Western Districts, ten Teachers, from the 1st of July to the 30th of June, 1831, at £100 each.....	1,000.0.0
Total for Grammar Schools.....	£1,066.11.6½ : \$4,266.31

EXPENDITURE FOR COMMON SCHOOLS, 1830, 1831.

Common Schools in the Ottawa and Western Districts at £200 each.....	£400
Common Schools in the Home, London, Bathurst, Niagara, Eastern, Newcastle, Midland, Johnstown, and Gore Districts	
—allowances for 1830 nine at £250 each . £2,250	
	£2,650.0.0
Paid to the Treasurer of the General Board of Education, for the purchase of Books for Common and Sunday Schools.....	150.0.0
Grand total for Grammar and Common Schools.....	£3,866.11.6½ : \$15,466.31

12th March, 1831.—Agreeably to the Order of the Day, the House went again into Committee of the Whole on the Resolutions on the subject of the Clergy Reserves for Education. Mr. John P. Roblin in the chair. The House having resumed, Mr. Roblin reported the Resolutions. The Report was received.

The first Resolution, as amended by a vote of thirty yeas to seven nays, was carried in the affirmative, by a majority of twenty-three, and is as follows:

Resolved, That to terminate the jealousy and dissension which have hitherto existed on the subject of the said Reserves, to remove a barrier to the settlement of the country, and to provide a fund available for the promotion of Education, it is extremely desirable that the said lands, so reserved, be sold, and the proceeds arising from the sale of the same placed at the disposal of the Provincial Legislature, to be applied exclusively for those purposes. That an humble Address be presented to His Majesty, setting forth the subject of this Resolution, and praying His Majesty will be graciously pleased to recommend to His Majesty's Parliament of Great Britain and Ireland, to pass an Act to authorize the sale of the Clergy Reserves remaining unsold, and to enable the Legislature of this Province to appropriate the proceeds thereof in such manner as may be considered most expedient for the advancement of Education, and in aid of erecting places of public worship for various denominations of Christians.

The second Resolution was then put as follows :

2. *Resolved*, That while this House fully appreciates His Majesty's gracious intention in granting a Royal Charter for the establishment of an University in this Province, we would most humbly beg leave to represent that as the great majority of His Majesty's subjects in this Province are not members of the Church of England, we regret that the University Charter contains provisions which are calculated to exclude from its principal offices and honours all who do not belong to that Church.

(1) In consequence of these provisions, its benefits will be confined to a few individuals of one religious denomination, while others of His Majesty's subjects, equally loyal and deserving, will be excluded from participating in advantages which should be open to all.

(2) Its influence as a Seminary of Learning on this account, must be limited, and will be looked upon with jealousy by a large majority of the inhabitants of this Province ; that, therefore, it is expedient to present an humble Address to His Majesty, praying that His Majesty will be graciously pleased to cause the Charter of King's College to be cancelled, and to grant another free from the objections, to which our duty to the people of this Province has induced us to avert.

On which the House divided and the yeas and nays were taken as follows :

YEAS.—Messieurs Beardsley, Berczy, Bidwell, Campbell, Chisholm, Clark, William Crooks, James Crooks, Duncombe, Alexander Fraser, Howard, Ingersoll, Jarvis, Jones, Ketchum, Lewis, Lyons, McCall, Donald McDonald, Mackenzie, McMartin, Morris, Mount, Perry, Randal, Roblin, Samson, Shaver and White.—29.

NAYS.—Messieurs Boulton Burwell, Elliott, Jessup, Magon, Robinson, Hagerman, (Solicitor-General), and Vankoughnet.—8.

Mr. James Hunter Samson, seconded by Mr. Reuben White, moves that Messieurs William Chisholm and John Clark, be a Committee to draft and report an Address pursuant to the foregoing Resolutions on the subject of the Charter of King's College.

Mr. William Chisholm, from the Select Committee to draft an Address to His Majesty, agreeably to a Resolution of this House, on the subject of the Charter of King's College, reported a draft, which was received and read, and was ordered to be read a second time on Monday next.

14th March, 1831.—The House went into Committee of Supply, Mr. William Botsford Jarvis in the chair. The eighth Resolution of the Committee of Supply having been put, was carried as follows :

8. *Resolved*, That whereas the Seminary incorporated by an Act of the Provincial Legislature under the name and style of the "Grantham Academy" was established, and is, to a certain extent, supported through the donations and subscriptions of private individuals ; and whereas the instruction of youth in classical, mathematical and other useful branches of Education, is conducted at the said Academy, under the direction and superintendence of Trustees, by competent Teachers ; and whereas, the said Academy, from its local situation, respectability and good management, as a Seminary of Education, is deserving of support and encouragement, it is therefore

Resolved, That the sum of one hundred and twenty-five pounds per annum, for four years, be granted to the said Academy, from the public funds of this Province, to make more ample provision for the support of the Teachers thereof, than can be obtained in the infant state of the institution from fees paid by students and other ordinary resources.

Mr. William Botsford Jarvis, as Chairman of the Committee of Supply, reported a Bill founded on the Resolutions of this House relative to the Grantham Academy. The Report was received, and the Bill founded upon them was read the first time.

Mr. John Clark, seconded by Mr. Stephen Randal, moves that the Grantham Academy Bill be now read a second time, and that the 41st rule of this House be dispensed with, so far

as relates to the same. On which the House divided, and the yeas and nays were taken as follows : Yeas 29, Nays 7. The motion was carried in the affirmative by a majority of twenty-two ; the Bill was read a second time, and was referred to a Committee of the Whole House. Mr. Alexander Fraser was called to the chair.

The House having resumed, Mr. Fraser reported the Bill without amendment. The Report was received, and the Bill was ordered to be engrossed and read a third time to-morrow.

15th March, 1831.—Agreeably to the Order of the Day, the Grantham Academy Bill was read the third time. On the question for passing the same, the House divided, and the yeas and nays were taken as follows : Yeas 23, Nays 4. The question was carried in the affirmative by a majority of nineteen, and the Bill was signed by the Speaker.

Mr. Mahlon Burwell, seconded by Mr. John Clark, moves that the Bill be intitled : “ An Act Granting a sum of Money for the encouragement of the Grantham Academy.” Which was carried, and Messieurs John Clark and William Crooks were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

16th March, 1831.—Agreeably to the Order of the Day, the House went into Committee of the Whole on the Report of the Select Committee on School Lands. Mr. John Clark was called to the chair.

The House having resumed, Mr. Clark reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. The report was received, and the Resolution was adopted, *nemine contradicente*, as follows :

Resolved, That His Majesty, in the year one thousand seven hundred and ninety-seven, was graciously pleased to communicate to the Government of this Province, by a Despatch from the Duke of Portland to Mr. President Russell, in answer to a Joint Address of the Legislature of Upper Canada, His Majesty's instructions to set apart a certain portion of the waste lands of the Crown as a fund for the establishment and support of a Free Grammar School in those Districts in which they are called for, and in due process of time to establish other Seminaries of a more comprehensive nature. (See pages 16-25 of the First Volume of this History.)

2. EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL, 1831.

The Members of the Legislative Council in 1831 were the Honourable John Beverley Robinson,* Chief Justice, Speaker ; the Honourable and Right Reverend Charles James Stewart, D.D., Lord Bishop of Quebec ; the Honourable and Venerable John Strachan, D.D., Archdeacon of York ; the Honourable Sir William Campbell and William Dummer Powell, ex-Chief Justices and Speakers ; the Honourable James Baby,* John McGill, Thomas Talbot, Angus McIntosh, Joseph Wells, Duncan Cameron,* George H. Markland, Thomas Clark, John Henry Dunn, William Dickson, Neil McLean, George Crookshank, William Allan, Peter Robinson,* Charles Jones,* James Gordon,* Alexander McDonell,* Zaccheus Burnham,* John Elmsley, Augustus Baldwin, John H. Hamilton, Walter Boswell, Peter Adamson, James Kirby and John Kirby. The following Members were added to the Council in November and December, 1831 : the Honourable and Right Reverend Alexander McDonell, Bishop of Regiopolis ; Alexander Grant, James Crooks,* Abraham Nelles and Arthur Lloyd : thirty-four members.

The only educational matters which engaged the attention of the Legislative Council, during the first session of 1831, were the proposed removal of the District (Grammar) School from Vittoria (in the present County of Norfolk), to London in the District of that name, and the question of a grant to the new Grantham Academy at St. Catharines. Mr. Alexander Davidson of Port Hope sought to obtain the sanction of the Council to a Copyright Act for the protection of his

*Formerly Members of the House of Assembly.

Spelling Book. A grant to the Academy, made by the House of Assembly, was vetoed by the Council; the two other subjects were not considered by the Council, so that no action was taken on them.

On the 8th of January, 1831, the Lieutenant-Governor opened the first session of the Eleventh Parliament of Upper Canada, with the usual Speech from the Throne. It contained no educational references.

10th January, 1831.—The Honourable James Gordon brought up the Petition of Mr. Ira Schofield and others, praying for an Act respecting the law which requires that the District (Grammar) School shall be kept at Vittoria, and enacting that in future the said District (Grammar) School shall be kept in the Town of London, which was laid on the table.

12th January, 1831.—The foregoing Petition of Mr. Schofield was read.

26th January, 1831.—The Honourable William Allan brought up the Petition of Mr. Alexander Davidson, of Port Hope, which was laid on the Table.

28th January, 1831.—The foregoing Petition of Mr. Alexander Davidson, praying for an Act whereby the copyright of "The Upper Canada Spelling Book" may be vested in him was read.

17th February, 1831.—The following Message from the Lieutenant-Governor was delivered by Mr. Secretary Mudge, who, having retired, it was read by the Speaker as follows:

J. COLBORNE,

The Lieutenant-Governor transmits to the Legislative Council copies of such Reports respecting District (Grammar) and Common Schools as have been received from the Trustees and District Boards of Education, respectively, for the past year.

J. C.

GOVERNMENT HOUSE,

YORK, 17th February, 1831.

5th March, 1831.—A deputation from the Commons House of Assembly brought up a Bill intituled: "An Act granting a sum of Money for the encouragement of the Grantham Academy," which was read a first time, and it was ordered that the same be read a second time to-day.

Pursuant to Order of the Day, the Bill intituled: "An Act granting a sum of Money for the encouragement of the Grantham Academy" was read a second time; and it was ordered that the House be now put into Committee of the Whole on the same, which was done, and the Honourable Peter Robinson took the chair. After some time the House resumed. The Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again this day. Ordered that the Report be received, and leave granted accordingly.

Pursuant to the Order of the Day, the House was again put into Committee of the Whole on the Bill intituled: "An Act granting a sum of Money for the encouragement of Grantham Academy" which was done, and the Honourable Peter Robinson took the chair. After some time the House resumed. The chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and asked leave to sit again this day three months, which was ordered; the Report was received and leave granted accordingly.

The Bill was, therefore, lost.*

16th March, 1831.—The Lieutenant-Governor having ordered the Usher of the Black Rod to summon the Members of the House of Assembly to the Legislative Council Chamber; and they being come thereto. His Excellency was pleased to assent to several Bills in His Majesty's name. Having done so, he addressed the two Houses in a Speech from the Throne, in which he made no reference to Schools or Education.

CLASSICAL COURSE OF STUDY IN UPPER CANADA COLLEGE—PETITION TO SIR JOHN COLBORNE AGAINST IT.

In July, 1831, a number of prominent persons in York,—including Mr. (afterwards the Honourable) Robert Baldwin, and others—were dissatisfied at the course of study then pursued at Upper Canada College, as being too "classical,"

* The rejection of this Bill was one of the charges against the Legislative Council, made by Mr. William Lyon Mackenzie, in his "Articles of Impeachment," etc. (Page 58.)

and not sufficiently "commercial." They, therefore, petitioned Sir John Colborne, as the founder of the College, and as Lieutenant-Governor, to "cause alterations to be made in the regulations" on the subject.

To this Petition Sir John Colborne replied at some length, through his Secretary, and took a good deal of pains to explain the necessity of maintaining the classical standard which had been adopted for the College.

The Petition to the Lieutenant-Governor was as follows:

The Petition of the undermentioned inhabitants of the Town of York, respectfully sheweth :

That they highly appreciate Your Excellency's measures for the promotion of Education in this Province ; and they rejoice in the rapidly increasing success which has hitherto attended these measures.

At the same time, they humbly represent to Your Excellency, that the benefits dispensed by the Upper Canada College might, in their opinion, be greatly extended in favour of the children of many families in this town and vicinity, whose parents do not desire to have them instructed in classics, by admitting them upon less expensive terms, and to receive an English Education only ;

Wherefore, we pray that Your Excellency will be pleased to cause such alterations to be made in the Regulations, and such changes in the College, as will enable Your Excellency's petitioners, and others in similar circumstances, to have their sons educated in a College in such branches of an English Education, as will qualify them for discharging, with efficiency and respectability, the scientific and other business of Tradesmen and Mechanics. And your Petitioners will ever pray.

ROBERT BALDWIN,
JOHN BALDWIN,
JAMES E. SMALL,

F. T. BILLINGS,
HUGH RICHARDSON,
JOHN EWART,

DANIEL BROOKE,
JACOB LATHAM,
THOMAS MOORE,

Q. FAIRBANKS,
R. C. HORNE,
JOHN MURCHISON.

York, July, 1831.

In reply to the questions put by the Select Committee of the House of Assembly, in December, 1832, to the Reverend Doctor Harris, Principal of Upper Canada College, he referred to the temporary ill effects on the attendance at the College, which this movement had caused. He said, in regard to it :

The numbers in attendance steadily increased up to the vacation, commencing in August, 1831. During that vacation a considerable effort and influence were exerted, by some individuals in the town, to produce an expression of dissatisfaction at the system of Education pursued, and of a desire that it should be altered conformably to their ideas ; so much temporary prejudice was thus excited as to cause the removal of a large number of boys, and the numbers at the College fell off from 126 to 109. . . . It is evident, however, that the prejudice above referred to is dying away, partly in consequence of modifications in the course of Education, which have introduced a greater proportion of miscellaneous (not classical, that is) studies, especially in the lower part of the College, etc. (See page 94.)

The reply of the Lieutenant-Governor, through his Secretary, to this Memorial was as follows :

Gentlemen, I am directed by the Lieutenant-Governor to acquaint you, in reply to your Memorial, that he trusts that the system of Education adopted at Upper Canada College and Royal Grammar School will prove extensively useful to this Country ; but that he doubts whether it can receive such a modification as will fully meet your wishes.

In placing the Institution on its present establishment, the general interests of the Province have been considered, more than the convenience of any Town or Township.

The system has chiefly reference to the rapid growth of the Colony, to the prospects of many families emigrating from the United Kingdom, and the attraction of a school, conducted by Masters of reputation selected from our own Universities, to the advantages which must flow from an endowed Institution, at which a liberal Education can be obtained for the sum of eight

pounds (£8) per annum, by scholars destined to embrace the higher order of the Professions, or who are intended to be removed to King's College, or to undertake the office of Masters to District (Grammar) Schools.

I am also to mention that a boy who is admitted to the College at nine or ten years of age, with industry can certainly qualify himself to enter most professions before he is seventeen, and that he will leave school a Classical Scholar, a good Mathematician, with a critical knowledge of two modern languages, while, at the same time, he will find that his Commercial Education has not been neglected.

Without frustrating the original object of the College, it will be difficult to combine a course of instruction that will meet the views of every individual. The Principal has had it in contemplation to make such partial changes in the College course, as his experience may point out, with reference to pupils intended for a scientific, or commercial, employment, and it may be satisfactory to you to examine the accompanying 'observations' connected with that object; from which you will be able to ascertain how far the mind of the pupil may be profitably exercised at the College, whatever occupation he may be intended to follow.

With respect to the reduction in the terms for Education, His Excellency is convinced that you will, at once, perceive the impracticability of complying with your suggestions, when you are aware that a large amount has been incurred in providing suitable accommodation for the Masters and pupils; and that although His Majesty's Government has allotted five hundred pounds (£500) a year for the support of the establishment as a Royal Institution, a considerable revenue is required to ensure a succession of able Masters in every department, and to carry into effect an arrangement which has been made for the benefit of the Province, by which boarders may be placed at the College for twenty five pounds (£25) per annum, including the charge for Education.

EDWARD McMAHON,
Acting Secretary.

To the Signers of the Memorial.

NOTE.—The "observations" enclosed in the reply referred to the course of study for each of the four forms in the College, as follows. The

First Form embraced the elements of Latin Grammar, and construing four English lessons per week. General Reading Exercises of the whole College. Six lessons, of nine hours each week, with Writing Master in Writing and Arithmetic.

Second Form: Lessons in Latin, completing the Syntax, (the general principles of which are applicable to English); Lessons in English, Reading, Spelling and Recital; Geography. Four lessons a week in Writing and Arithmetic. A lesson in French, two hours.

Third Form: Latin; one lesson a week in Greek,—including the characters and first notions of the Language. English; Geography; French; Writing; Arithmetic.

Fourth Form: Latin; Greek; French (three lessons a week); commences Mathematics; Arithmetic and other branches, as before.—*Christian Guardian*, October, 1831.

NOTE.—It might be interesting to compare this course of study with that suggested by the Reverend Doctor Strachan for Grammar Schools, given on pages 109, 110 of the First Volume of this Documentary History.

CHAPTER IV.

EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE, 1831-32.

The second session of the Eleventh Parliament of Upper Canada was opened by His Excellency, Sir John Colborne, on the 17th day of November, 1831, by the usual Speech from the Throne. In it, addressing the Members, he said, that—

Your exertions and local experience, in considering the aid intended to be granted by His Majesty's Government, for the encouragement of District (Grammar) and Township Schools, and the advancement of the purposes of Education, will gradually prepare the Colony for the reception of the agricultural classes leaving the Parent State.

The new members of the House of Assembly who took part in its educational proceedings were the Attorney and Solicitor-General, (Messieurs Henry John Boulton* and Christopher Alexander Hagerman). Both became noted men in their day—the one, Mr. Boulton, as Chief Justice of Newfoundland, where his career was somewhat chequered. The other, Mr. Hagerman,† was one of the Judges of the Court of King's Bench in Upper Canada. Messieurs Absolom Shade, John Warren, James H. Samson and Jean Baptiste Maçon were also new members.

18th November, 1831.—Mr. William Lyon Mackenzie gives notice that he intends, to-morrow, to move a Resolution requiring detailed information from Government, concerning the funds of King's College and the application of the one hundred and fifty pounds (£150) annually granted to purchase school books.

Mr. William Buell, junior, gives notice that he will, on Monday next, move for leave to bring in a Bill to repeal and amend the laws relating to Township Common Schools.

21st November, 1831.—Mr. William L. Mackenzie brought up the Petition of Mr. Peter Frank and 239 others, of the Township of Vaughan, which was laid on the Table.

22nd November, 1831.—Mr. James H. Samson gives notice that he will, on Thursday next, move that it be resolved,

That an humble Address be presented to His Majesty, setting forth the subject of this Resolution, and praying His Majesty will be graciously pleased to recommend to His Majesty's Parliament, of Great Britain and Ireland, to pass an Act to authorize the sale of the Clergy Reserves remaining unsold, and to enable the Legislature of this Province to appropriate the proceeds thereof, in such manner as may be considered most expedient for the advancement of Education, and in aid of erecting places of public worship for various denominations of Christians. (See page 26.)

Mr. James H. Samson gives notice that he will, on Thursday next move that it be resolved, That while this House fully appreciates His Majesty's gracious intention, in granting a Royal Charter for the establishment of an University in this Province, we would most humbly beg leave to represent, that as the great majority of His Majesty's subjects in this Province are not members of the Church of England, we regret that the Charter contains provisions which are calculated to exclude from its principal offices and honours, all who do not belong to that Church.

* Mr. Henry John Boulton was born at Kensington (London), in 1790. Having settled in Upper Canada he, as an English Barrister, practised his profession in 1816, and became Solicitor-General in 1818, and, in 1829, Attorney-General. His having taken part in the expulsion of Mr. W. L. Mackenzie in 1833 was the alleged ground of his dismissal in that year. Having offered satisfactory explanations to the Colonial Secretary he was appointed Chief Justice of Newfoundland. He returned to Upper Canada in 1838, and served for many years as a Member of the House of Assembly. He died in 1870, in his 80th year of age.

† Mr. Christopher Alexander Hagerman was born in Adolphustown in 1792. He was called to the Bar and made a K C. in 1815. He became a Benchman in 1820. He temporarily filled Judge Willis' place on the King's Bench in 1838; became Solicitor-General in 1829. He, with Attorney-General H. J. Boulton, was removed from office in 1833 for the same cause. He was appointed Attorney-General in 1837, and, in 1840, a Judge of the Queen's Bench. He died in 1847, aged 55 years.

2. In consequence of these provisions, its benefits will be confined to a few individuals of one religious denomination, while others of His Majesty's subjects, equally loyal and deserving, will be excluded from participating in advantages which should be open to all.

3. Its influence as a Seminary of Learning on this account, must be limited, and will be looked upon with jealousy by a large majority of the inhabitants of this Province. (See page 26.)

4. That, therefore, it is expedient to present an humble Address to His Majesty, praying that His Majesty will be graciously pleased to cause the Charter of King's College to be cancelled, and to grant another free from the objections to which our duty to the people of this Province has induced us to advert.

Mr. Marshall S. Bidwell gives notice that he will, to-morrow, move for the reading of that part of the Journals of this House of twelfth day of March last, relative to the King's College. (See page 25.)

23rd November, 1831.—Mr. Mahlon Burwell gives notice that he will, on Monday next, move for leave to bring in a Bill to alter and amend the laws now in force for the maintenance and regulation of Common Schools throughout this Province. (See page 18.)

Agreeably to notice, Mr. William Buell, junior, seconded by Mr. Mathew Howard, moves for leave to bring in a Bill to repeal a portion of the laws now in force, relating to Common Schools in this Province, and to make other and further provision for the Regulation and Encouragement of such schools. Which was granted and the Bill read a first time and ordered for a second reading on Monday.

MR. WILLIAM BUELL'S BILL FOR THE PROMOTION OF COMMON SCHOOLS, 1831.

On the 23rd of November, 1831, Mr. William Buell, junior, Member for the County of Leeds, in succession to his Father, introduced a Bill into the House of Assembly, of which he had given notice on the 18th of that month. In connection with an Editorial on the Bill, by the Reverend Egerton Ryerson, then Editor of the *Christian Guardian*, a copy of it has been preserved. The Editorial is published in the *Guardian*, under date of the 7th of December, 1831. Both of these papers are interesting. The Editorial, as an utterance of one who afterwards founded our system of Public, (Common,) and Grammar Schools; the Bill itself as an expression of opinion on the part of an enlightened Legislator of nearly seventy years ago. As such, it gives an excellent idea of the character of the proposed Common School Legislation of 1831. It, however, failed to pass—having been dropped, as will be seen, by the proceedings of the House of Assembly, on the 5th of January, 1832. (Page 56.) The Editor said:

We publish a Bill for the promotion of general Education, now under the consideration of the House of Assembly, introduced by Mr. William Buell, junior.

The appropriations for the Common Schools are small. According to the ratio of allowance and reckoning proposed in the Bill, the following sums of money will be allowed to the several Districts of the Province:

	Halifax currency.
Eastern District	£787
Ottawa District	256
Bathurst District	841
Johnstown District	941
Midland District	1,576
Newcastle District	854
Home District	1,447
Gore District	1,199
Niagara District	1,013
Western District	620
London District	1,342

Total annually for Common Schools £10,864=£84,466

As to the merits of the Bill itself, the Editor expressed himself strongly in favour of a principle which, in after years, as Chief Superintendent of Education, he more fully enforced and illustrated,—that, with Government oversight and inspection, should be joined the right and freedom of local control and management. He said :

It is the grand principle of the Bill, however, which gives it an infinite value and renders it deserving of the support of every enlightened friend to general Education. It places the direction of Education in the hands of those who are personally interested. This is the latent main-spring of that unrivalled success which distinguishes the Common School System in the State of New York and several other States, and which has received the unreserved approbation and commanded the almost enthusiastic applause of the best English reviews and periodicals to which we have had access, and the reverse of this has been a serious obstacle to the progress of Education in Upper Canada.*

TOWNSHIP BOARDS OF SCHOOL SUPERINTENDENTS, 1831.

In this Bill of Mr. Buell, provision was made by which the isolated school managers of each local school were merged into a Township Board of "Superintendents of Schools," who were authorized to determine the number of Schools in a Township—make "rules and regulations" for them, and "appropriate the money which the Township would be entitled to receive." These Township Boards of School Superintendents were also authorized to select one of their number to meet with one each from other Townships, and to elect five persons to form "a Board of Education for the District," etc. An effort was made in 1850 to introduce the principle of Township Boards into our School system; and this question was now and then discussed in the *Journal of Education for Upper Canada*. As Editor of the *Journal*, I collected, from time to time, a good deal of practical information on the subject. In one of the articles quoted, (see especially the November number of the *Journal*, 1872, pages 161-164,) the following summary of "desirable results" of a Township Board system are given, viz:—

1. It would secure just as many schools as the necessities of the community demand, each being an integral part of one central organization, and adapted to the wants of each individual.
2. It would dispense with a large number of school officers.
3. It would establish a uniform rate of taxation.
4. It would furnish more uniform and equal advantages and privileges to every citizen.
5. It would allow the child to attend school where his own interests would be best conserved, with no restraint save what the general interests might require.
6. It would prevent strife about district, (or School Section,) lines.
7. It would diminish the aggregate expenditure for schools.
8. It would secure a more efficient system of school inspection and supervision.
9. It would secure permanency of supervision.
10. It would secure a greater permanency of teachers.
11. It would secure a better class of teachers.
12. It would secure better compensation to competent teachers, and less employment for incompetent ones.
13. It will secure better school-houses.

* Report on a System of Public Elementary Instruction for Upper Canada. By the Reverend Egerton Ryerson, D.D., Chief Superintendent of Schools for Upper Canada, 1846-7. Page 179-180.

14. It will secure greater facilities to teachers for reference and illustration.
15. It will enable adjoining townships to combine to establish graded schools.
16. It will secure uniformity of text books in the same township.
17. It will result in more uniform methods of teaching.
18. It will secure the establishment of a course of study, and will tend to keep pupils longer in school.
19. It will secure to the Provincial Department of Education more reliable statistics.
20. It will insure schools in every locality, and prevent a bare majority from depriving a respectable minority of school privileges.
21. It will tend to diminish neighborhood quarrels.
22. It would ensure the employment of fewer nephews and nieces, sisters and sisters-in-law
23. It would ensure a larger aggregate of interest on the part of the community in each school.
24. It would render possible Township competitive examinations.

There is no gainsaying the force of the argument presented by the above points, all of which are susceptible of the clearest proof and demonstration.

BILL FOR THE MORE GENERAL DIFFUSION OF EDUCATION THROUGHOUT THE PROVINCE, 1831.

Whereas it is expedient and necessary that more effectual provision should be made for the encouragement and general diffusion of Education throughout this Province ;

Be it therefore enacted, That an Act passed in the 56th year of the reign of George the Third Chapter 36, (1816,) intituled : " An Act Granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulations of said Common Schools ;" An Act passed in the 60th year of George the Third, Chapter 7, (1820,) intituled : " An Act to amend and continue under certain modifications an Act passed in the 56th year of George the Third (1816), intituled : ' An Act Granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools ;' " An Act passed in the 4th year of George the Fourth, Chapter 8, (1824), intituled : " An Act to make Permanent and extend the Provisions of the laws now in force for the Establishment and Regulation of Common Schools throughout this Province, and for granting His Majesty a further sum of money to promote and encourage Education within the same ; " and also so much of the fourth section of an Act passed in the 47th year of George the Third, Chapter 6, (1807), intituled : " An Act to establish Public (Grammar) Schools in each and every District in this Province," as enacts " that it shall and may be lawful for the Governor, Lieutenant-Governor or person administering the Government of this Province, to appoint from time to time, not less than five fit and discreet persons in each and every District of this Province, to be Trustees to the said Public (Grammar) Schools, be, and the same are hereby repealed."

II. *And be it enacted, etc.*, That out of the rates and revenues of the Province, the several sums as hereinafter specified, be annually set apart and paid for the support of the Common Schools, together with such sums as may be due to the different Superintendents, as hereinafter provided, that is to say : To the Superintendents of every Township within this Province having one hundred (100) inhabitants, there be paid twelve pounds (£12) ; to every Township containing two hundred (200) inhabitants, twenty pounds (£20) ; to every Township containing three hundred (300) inhabitants, twenty-five pounds (£25) ; and to every Township containing four hundred (400) inhabitants, thirty pounds (£30) ; and to every Township containing over four hundred (400) inhabitants and under one thousand (1,000), for every one hundred (100) inhabitants over four hundred (400), the additional sum of four pounds (£4) ; and to every Township containing over one thousand (1,000) and under two thousand (2,000), for every hundred over one thousand (1,000), the sum of three pounds (£3) ; and to every Township containing three thousand (3,000) inhabitants and upwards, for every additional one hundred (100) over three thousand (3,000), the sum of one pound (£1).

III. *And be it enacted, etc.*, That the several sums shall be estimated from the returns of the number of inhabitants of the several Townships for the year immediately preceding that in which the estimate is made ; in case no return shall have been made in such year, then the estimate shall be formed from the latest return to be found.

IV. *And be it enacted, etc.*, That it shall and may be lawful for the inhabitants, householders, of each Township within this Province, and they are hereby required, at their annual town meeting, to choose three fit and proper persons to act as Superintendents of Schools for

the Township, during the year in which they shall be chosen ; and such Superintendents shall take an oath of office within the same time, and be subject to the same responsibilities and penalties for neglect of taking such oath, or neglect of duty, that other Township Officers are by law liable, and vacancies shall and may be filled in the same manner as they are filled in other Township offices.

V. *And be it enacted, etc.*, That the Superintendents so chosen for any Township, or any two of them, are hereby authorized and required to meet on the third Mondays in June, September and December in the year for which they are so appointed, at the same place where the Township meeting for the year was held ; and they, or any two of them, at any such meeting, or any adjourned meeting for the purposes of this Act, shall be authorized to make such rules and regulations, and appropriate the money to which such Townships shall be entitled to receive for the year for the purposes of Education, to one or more schools, as to them shall seem best for the benefit of the Township. And the said Superintendents are required, at their meeting in December, to report their proceedings to a District Board of Education, to be chosen as hereinafter provided ; in which Report they shall state the manner in which the money at their disposal has been expended, the number of Schools, with the average number of pupils in each within their Township, and such other matters as may appear interesting in relation to Education.

VI. *And be it enacted, etc.*, That the Township Superintendents for each and every Township within the District where such Township is situated, shall, at their first meeting, select one from among the Superintendents of their respective Townships to perform the duty of an elector who shall assemble on the Monday immediately following the selection of such electors, at the place where the Court of Assize was last held for the District ; and, after having appointed a Moderator and Secretary from among their number, they shall proceed to ballot for five persons to compose a Board of Education for the District, of persons resident therein, which shall be decided in favour of such persons as have a majority of votes of those present. And the persons so chosen shall be notified thereof by the Secretary of the meeting within one week thereafter ; and such persons, so chosen, as aforesaid, shall take the same oath and be liable to the same penalties for neglect of taking the same and for neglect of duty as are herein prescribed for the Township Superintendents ;

Provided always, that when any vacancy shall occur, from death, removal from the District, or neglect to take the necessary oath, such vacancy shall be filled by the majority of the Board of Education present at their next meeting thereafter.

VII. *And be it enacted, etc.*, That the Members of the Board of Education for the different Districts shall meet on the third Monday in February, at the places where the last Court of King's Bench was held for the Districts, and examine and correct, if found necessary, a schedule of sums payable, according to the provisions of this Act, to be, by the Treasurer of the District, furnished for the purpose ; and, being satisfied of its correctness, said schedule shall be signed by the different members of the District Board present, which shall not be less than a majority of their whole number, which schedule, so signed, shall be a guide to the Treasurer in relation to the sums payable to the Township Superintendents ; and the Treasurer is hereby required to pay over the respective sums, on the order of any two of the Township Superintendents, in such portions as they shall direct, as soon as the money appropriated by this Act shall come into his hands ; nevertheless reserving to himself — *per centum* out of every order to be by him so paid, as a compensation for the duties imposed upon him by this Act.

VIII. *And be it enacted, etc.*, That it shall and may be lawful for the Members of the said District Board, to assemble at such other times and places as to them may seem fit, for transacting such other matters and performing such other duties as may be assigned them by this Act.

Provided always, that they shall meet on the twentieth day of December to examine all such reports as may be submitted to them by the Township Superintendents, and, thereupon, frame a general Report on the state of Education within the District, the number of schools and pupils, with remarks as to the manner in which the Township Schools have been conducted ; a copy of which Report they shall transmit to the Governor, Lieutenant-Governor, or person administering the Government, to be by him laid before the Legislature at its next session.

IX. *And be it enacted, etc.*, That the said District Board of Education shall act as Trustees to the District (Grammar) Schools, as now by law (in 1807 and 1808) established, in all matters and things by law required, anything in any law of the Province to the contrary notwithstanding.

X. *And be it enacted, etc.*, That the Clerk of the Peace in each District within the Province shall furnish to the Treasurer a correct statement, so far as he may have received the same, of the number of inhabitants in every Township within the District required for carrying this Act into effect, on or before the first day of January in each year.

Provided always, that, if the Clerk of the Peace, or the Treasurer, or both of them, shall neglect their duty, it shall and may be lawful for the District Board of Education to procure the

most accurate estimate of the number of inhabitants in the several Townships in the District, on which they shall make up a schedule, to be signed as herein provided, which schedule shall be a sufficient warrant to the Treasurer for paying over the money to the Township Superintendents.

XI. *And be it enacted, etc.,* That it shall and may be lawful for the Township Superintendents to draw on the Treasurer of the District for — per day, for their own compensation, for every day that each of them may be employed on the business for which they shall be chosen, provided the same do not exceed — to each of the ordinary Superintendents and — to the one appointed to select the Board of Education, which sums the Treasurer of the District is required to pay to each of them, on the certificate of any two, that the third has been so employed.

XII. *And be it enacted, etc.,* That each of the Members of the District Board of Education shall be entitled to receive a like sum of — per day, for every day employed in forwarding the purposes of this Act, provided the same do not exceed the sum of — to each, which sums shall be paid by the Treasurer out of the funds of the District, on the certificate of any three Members of the District Board of Education, of the sums due to their associates for such services.

XIII. *And be it enacted, etc.,* That the several sums hereby granted to the several Districts of this Province, shall be paid by the Receiver-General of this Province to the Treasurer of each District respectively, in discharge of such warrant, or warrants, as shall, from time to time, be issued by the Governor, Lieutenant-Governor, or person administering the Government of the Province, and shall be accounted for by the Receiver-General to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

Mr. William Lyon Mackenzie, seconded by Mr. Reuben White, moves that five hundred copies of the Education Bill, just read, be printed for the use of Members, which was ordered.

24th November, 1831.—Agreeably to the Order of the Day, the Address to His Excellency, in answer to His Speech from the Throne at the opening of the present Session, was read the third time, by a vote of twenty-four yeas to eleven nays. That part of it relating to Education was as follows :

We are happy to receive the assurance of Your Excellency that the aid intended to be granted by His Majesty's Government for the encouragement of District (Grammar) and Township Common Schools, and the advancement of the purposes of Education, will gradually prepare the Colony for the reception of the agricultural classes leaving the Parent State. (Page 31.)

25th November, 1831.—Mr. William Lyon Mackenzie, seconded by Mr. Reuben White, moves that the Petition of the people of the Township of Vaughan, [relating to fifteen matters,] and presented on the 21st instant be entered in the Journals of the House, (see page 57). The following is that part of it relating to Education is as follows :

The humble petition of the people of Vaughan, agreed upon at a Township meeting held in Keffer's School House, on lot twelve in the fourth concession of Vaughan sheweth : That your petitioners are desirous (among other things) that the Crown and Clergy Reserves, and all reservations of land, otherwise than for the purposes of Education and Roads, be abolished.

28th November, 1831.—Mr. John Clark brought up the Petition of Mr. William Hamilton Merritt, and four others, Trustees to the Grantham Academy, which was laid on the table.

Mr. Charles Duncombe gives notice that he will, on to-morrow, move for the appointment of a Committee to take into consideration the propriety of addressing His Majesty, praying for a grant of the waste lands of the Crown, for the support of Common Schools in this Province.

30th November, 1831.—Mr. John Clark, seconded by Mr. John Warren, moves that the Petition of the Trustees for the Grantham Academy be referred to the Committee on Supply.

1st December, 1831.—Mr. Charles Duncombe gives notice, that he will, on to-morrow, move that it be resolved, that an humble Address be presented to His Excellency the Lieutenant-Governor, praying that His Excellency will be pleased to lay before this House such information as he may possess relative to the School Lands of this Province, other than that communicated to this House at the last Session of the Provincial Legislature, (page 20,) and also, such information as he may possess respecting the determination of His Majesty's Government thereon.

7th December, 1831.—Mr. Acting-Secretary McMahon brought down from His Excellency the Lieutenant-Governor several Messages. He having retired, that one relating to Education was read by the Speaker as follows :

J. COLBORNE :

The Lieutenant-Governor transmits to the House of Assembly copies of such Reports respecting District (Grammar) and Common Schools, as have been received since the last Session of the Provincial Legislature.

J. C.

GOVERNMENT HOUSE,

YORK, 7th December, 1831.

8th December, 1831.—Mr. Solicitor-General Hagerman gives notice that he will, on to-morrow, move for an Address to His Excellency the Lieutenant-Governor, for information as to the claims of this Province to a participation in the property known as the Jesuits' Estates.

Mr. William Morris gives notice that he will, on Monday next, move for the reading of that part of the Journals of the last day of the last Session, which relates to School Lands. (See pages 21-27).

13th December, 1831.—Agreeably to notice, Mr. Charles Duncombe, seconded by Mr. Absolom Shade, moves that an Address be presented to His Excellency the Lieutenant-Governor, representing that there is in this Province a very general want of Education, that the insufficiency of the Common School Fund to support competent, respectable and well educated Teachers, has degraded Common School teaching from a regular business to a mere matter of convenience to transient persons or common idlers, who often stay for but one season, and leave the Schools vacant until they accommodate some other like person ; whereby the minds of the youth of this Province are left without due cultivation, or, what is still worse, frequently, with vulgar, low-bred, vicious and intemperate examples before them in the persons of their monitors.*

2. That if provision were made for the liberal and punctual payment of Common School Teachers, under proper regulations, the teaching of Common Schools would soon become a regular and respectable calling ; gentlemanly, well educated, persons would not be ashamed to take charge of youth, the Schools would be no longer vacant, nor the scholars ignorant. Upper Canada would then form a national character that would command respect abroad and ensure peace, prosperity and happiness at home ; perpetuate attachment to British principles and British institutions, and enable posterity to value, as they ought, the inestimable blessings of our glorious Constitution.

3. And respectfully requesting His Excellency to represent to His Majesty's Principal Secretary of State for the Colonies that there is dormant British capital in this Province (which might be rendered available and productive, if placed at the disposal of the Province) sufficient to place its Schools in as flourishing a condition as they are in any part of the civilized world, and to entreat that His Majesty will be graciously pleased to place at the disposal of the Provincial Legislature a portion of the waste lands of the Crown as a permanent fund for the support of Common Schools within the same.

4. And also, that His Excellency will be pleased to lay before this House any information which His Excellency may have received since the last Session of the Provincial Parliament, relative to the disposition of His Majesty's Government respecting the School Lands of this Province, (page 20.) and that Messieurs Roswell Mount and Charles Ingersoll be a Committee to draft and report the same.

In amendment, Mr. James H. Samson, seconded by Mr. John Clark, moves that the question be not now put, but that the House do resolve itself into a Committee of the Whole upon the subject of the same on to-morrow, which was carried. The original question, as thus amended, was then put and carried.

Agreeably to notice, Mr. James H. Samson, seconded by Mr. John Clark, moves that it be

Resolved, . . . That an humble Address be presented to His Majesty, setting forth the subject of this Resolution, and praying His Majesty will be graciously pleased to recommend to His Majesty's Parliament of Great Britain and Ireland, to pass an Act to authorize the sale of the Clergy Reserves remaining unsold, and to enable the Legislature of this Province to appropriate the proceeds thereof in such manner as may be considered most expedient for the advancement of Education. (See pages 26 and 31.)

In amendment, Mr. Peter Perry, seconded by Mr. Marshall S. Bidwell, moves that after the word "Education," in the original, the following words be added : "Or other improvements, in which the inhabitants of the Province will generally and equally participate."

*What a sad, yet vivid, picture of the character of the Schools and Teachers of Upper Canada in 1831 !

On which the House divided, and the yeas and nays were taken as follows :

YEAS.—Messieurs Beardsley, Bidwell, Campbell, Cook, Howard, Perry and Shaver.—7.

NAYS.—Messieurs Henry J. Boulton (Attorney-General), Berczy, George S. Boulton, Buell, Burwell, Chisholm, Clark, Crooks, Duncombe, Elliott, A. Fraser, Ingersoll, Jesse Ketchum, Lewis, McMartin, Magon, Morris, Mount, Roblin, Samson, Shade, Hagerman, (Solicitor-General) Thomson, Warren and Werden.—26.

The question of amendment was therefore decided in the negative by a majority of nineteen.

15th December, 1831.—Agreeably to the Order of the Day, the Petition of Mr. George J. Goodhue, and thirty-seven others, of the London District, praying that the District (Grammar) School of the London District may be removed from Vittoria to the Town of London was read.

Mr. Mahlon Burwell, seconded by Mr. Hugh C. Thomson, moves that the Petition of certain inhabitants of the District of London relating to the site for holding their District (Grammar) School be referred to a Committee consisting of Messieurs Rowsell Mount and Charles Ingersoll, and that they have leave to report by Bill, or otherwise, which was ordered.

17th December, 1831.—Agreeably to the Order of the Day, the Bill for the removal of the London District (Grammar) School from Vittoria to London, prepared by the Select Committee on the subject, was read the second time, and referred to a Committee of the Whole House. Mr. John P. Roblin was called to the chair. The House having resumed, Mr. Roblin reported to Bill without amendment. The Report was received.

19th December, 1831.—Agreeably to the Order of the Day, the Bill to remove the site of the London District (Grammar) School was read a second time, on which the House divided, and the yeas and nays were taken as follows : Yeas 13, Nays 21 ; so the Bill failed to pass.

Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, for copies of sundry communications relative to Common School Lands, was read the third time, passed and signed by the Speaker, and is as follows :

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to lay before this House a copy of the Petition of the inhabitants of the District of London to Your Excellency-in-Council, on the subject of School Lands, and the endowment of District (Grammar) Schools in this Province, agreed upon at their General Quarter Sessions of the Peace for that District in April last,—a copy of Your Excellency's Letter of reference of that Petition and the subject it embraced, to the Honourable the Executive Council on that subject ;—a copy of your Excellency's Letter to the Boards of Trustees of District (Grammar) Schools in the several Districts in this Province, communicating to them the report of the Honourable the Executive Council thereon ; and also copies of the several replies which Your Excellency may have received from each District Board of Trustees, in reference to your correspondences on this most interesting and important subject.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
19th December, 1831.

20th December, 1831.—Mr. Charles Ingersoll, from the Select Committee, to wait upon His Excellency the Lieutenant-Governor with the Address of this House for certain communications relative to the School Lands, reported delivering the same, and that His Excellency had been pleased to make the following answer :

GENTLEMEN :

I will direct the Documents requested in this Address to be laid before the House of Assembly.

J. C.

GOVERNMENT HOUSE,
YORK, 20th December, 1831.

21st December, 1831.—Mr. Charles Duncombe, seconded by Mr. Jean Magon, moves that the Petition of Mr. David Burns and others, of the County of Oxford, upon the subject of Common Schools, be referred to a Committee, to be composed of Messieurs Charles Ingersoll and Dulcan McCall, with power to report thereon, by Bill, or otherwise, which was ordered.

Agreeably to the Order of the Day, the Journals of the last Session relative to School Lands were read. (See pages 19-26).

Mr. William Morris, seconded by Mr. Charles Duncombe, moves that the House do now resolve itself into a Committee on the proceedings of last Session, relative to the School Lands Reservation, which was carried, and Mr. John Clark was called to the chair. (See page 19-26).

The House having resumed, Mr. Clark reported that the Committee had agreed to several Resolutions, which he was directed to submit for the adoption of the House. The Report was received. (See page 21.) The first Resolution was put and carried as follows :

1. *Resolved*, That His Majesty, [on November the 4th,] in the year 1797, was graciously pleased to communicate to the Government of this Province, by a Despatch from His Grace the Duke of Portland, to Mr. President Russell, in answer to a Joint Address of the Legislature of Upper Canada,* His Majesty's intention to set apart a certain portion of the waste lands of the Crown, as a fund for the establishment and support of "Free Grammar Schools in those Districts in which they are called for, and, in due process of time, to establish other Seminaries of a more comprehensive nature."

The second Resolution was then put and carried *nemine contradiscente*, as follows :

2. *Resolved*, That, although more than thirty years have elapsed since His Majesty made this most gratifying communication, it does not come within the knowledge of this House, that even one Free Grammar School has been endowed from these lands, or any other Seminary established out of that reservation.

The third Resolution was then put and carried *nemine contradiscente*, as follows :

3. *Resolved*, That the establishment, by the Legislature, of a Public (Grammar) School in each District, with a salary of one hundred pounds currency, (£100) paid out of the Provincial Treasury, to the Master, does not afford sufficient means to instruct the youth of the Province in the several branches of classical and scientific learning, and ought not, therefore, to be considered as a reason for withholding the support which His Majesty intended for the free District Grammar Schools.

The fourth Resolution was then read as follows :

4. *Resolved*, That it is most important to the contentment and welfare of the people of this Province, that the School Lands be applied to the purposes for which they were originally intended, and immediate steps be taken to represent to His Majesty's Government, that the several Districts, from their extensive and rapidly increasing population, are now in a state to require the establishment of Free Grammar Schools, with a suitable endowment, which Schools, if incorporated with the present District (Grammar) Schools, would afford the means of respectable support to a Master and two Assistants in each, and thereby enable the inhabitants, generally, to confer the blessings of a liberal education on their children, and find employment as Masters for such of them as may be found to have made such necessary proficiency in the acquirement of classical and scientific knowledge.

In amendment, Mr. Peter Perry, seconded by Mr. Marshall S. Bidwell, moves that all the words in the original resolution be expunged after the word "endowment," and the following words inserted : "Which would enable the inhabitants generally to confer the blessings of a liberal education on their children."

On which the House divided, and the yeas and nays were taken as follows : Yeas, 16 ; nays, 19. The question of amendment to the fourth Resolution was thus decided in the negative.

The fifth Resolution was then put and carried *nemine contradiscente*, as follows :

5. *Resolved*, That it would be much more satisfactory to the people of this Province, if the moneys arising from the sale of the School Lands were paid immediately into the hands of the Receiver-General, and the fund placed at the disposal of the Legislature, instead of the present arrangement, as not only the control of the funds, but the general superintendence and organization of the whole system, would thus be open to public inspection and approval.

The sixth Resolution was then put and carried, as follows :

6. *Resolved*, That an humble Address be presented to His Majesty, setting forth the substance of the foregoing Resolutions and imploring His Majesty's early attention to the anxious hope of His Majesty's faithful subjects of Upper Canada, that the School Lands may not be applied to any other object than that for which they were intended by His Majesty's late Royal Father, King George the Third.

*Documentary History of Education in Upper Canada, Volume I., Page 17.

The seventh Resolution was then put and carried, as follows :

7. *Resolved*, That the Chairman of the Committee be instructed to draft and report to the House, an Address to His Majesty, founded on the foregoing Resolutions.

Agreeably to this order Mr. John Clark, Chairman of the Committee of the Whole House, on the subject of School Lands, reported the draft of an Address to His Majesty, which was received, read twice, concurred in, and ordered to be engrossed and read a third time to-morrow.

22nd December, 1831.—Agreeably to the Order of the Day, the Address to His Majesty, on the subject of School Lands, was read the third time.

On the question for passing the same, Mr. Peter Perry, seconded by Mr. Marshall S. Bidwell, moves in amendment, that the Address do not now pass, but that the same be now referred to a Committee of the Whole House, which was carried, and Mr. Alexander McMartin was called to the chair.

The House having resumed, Mr. McMartin reported the Address as amended. The Report was received ; and the Address was ordered to be engrossed and read a third time this day.

23rd December, 1831.—Agreeably to the Order of the Day, the Address to His Majesty on the subject of School Lands, were read a third time and passed *nemine contradiscente*, as follows :

To the King's Most Excellent Majesty :

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's most dutiful and loyal subjects, of the Commons of Upper Canada, in Provincial Parliament assembled, most humbly approach Your Majesty, to represent that in the year 1797, Your Majesty's Royal Father, George the Third, was graciously pleased to communicate to the Government of this Province, in answer to a Joint Address of the Legislature, of Upper Canada, His Majesty's intention to set apart a certain portion of the waste lands of the Crown, as a fund for the establishment and support of a Free Grammar School in those Districts in which they are called for, and in due process of time establish other Seminaries of a more comprehensive nature.

That, although more than thirty years have elapsed since His Majesty made this gratifying communication, it does not appear that even one Free Grammar School has been endowed from these lands, or any other Seminary established out of that reservation.

We would further represent to Your Majesty, that the establishment by the Legislature of a Public (Grammar) School in each District, with a salary of one hundred pounds currency paid out of the Provincial Treasury, to the Master, does not afford sufficient means to instruct the youth of the Province in the several branches of classical and scientific learning, and ought not, therefore, to be considered as a reason for withholding the support which His Majesty intended for the Free Grammar Schools.

It is, therefore, most important to the contentment and welfare of the people of this Province, that the School Lands amounting to five hundred and forty-nine thousand, two hundred and seventeen acres, be applied to the purposes for which they were originally intended ; and, as the several Districts are, from their extensive and rapidly increasing population, in a state to require the establishment of Free Grammar Schools, which, if suitably endowed, and incorporated with the present District (Grammar) Schools, would afford the means of respectable support to a Master and two Assistants in each, and thereby enable the inhabitants of the Colony to confer the blessings of a liberal education on their children, and find employment as Masters for such of them as may be found to have the necessary proficiency in the acquirement of classical and scientific knowledge.

We, also represent to Your Majesty, that it would be much more satisfactory to the people of this Province, if the moneys arising from the sale of School Lands were paid into the hands of the Receiver-General, and the fund placed at the disposal of the Legislature, instead of the present arrangement, as not only the control of the funds, but the general superintendence and organization of the whole system, would thus be open to public inspection and approval.

We, therefore, humbly implore Your Majesty to place the School Lands at the disposition of the Legislature of the Province, to be applied exclusively for the purposes intended by Your Majesty's Royal Father, George the Third in 1797.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
23rd day of December, 1831.

24th December, 1831.—Agreeable to notice, Mr. Solicitor-General Hagerman, seconded by Mr. Hugh C. Thomson, moves that an humble Address be presented to His Excellency the Lieutenant-Governor, requesting that His Excellency will be pleased to lay before the House of Assembly any information which he may possess relative to the property situate in the

Canadas, known as the "Jesuit Estates," and particularly what the intention of His Majesty's Government may be with respect to the future disposition of the same; and also whether any portion of the funds arising from these estates have been, or are at present applied to any public use in Upper Canada, and that Messieurs William Morris and Rowsell Mount be a Committee to draft and report the same, which was ordered. (See pages 37, 51 and 63.)

Mr. William Morris, from the Select Committee to draft an Address to His Excellency the Lieutenant-Governor, on the subject of the Jesuit Estates, reported a draft, which was received and read twice, concurred in, and ordered to be engrossed and read a third time on Monday next.

26th December, 1831.—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor on the subject of the Jesuit Estates was read a third time, passed and signed by the Speaker, and is as follows:

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.:

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament Assembled, humbly request that Your Excellency will be pleased to lay before this House any information what Your Excellency may possess relative to the property situate in the Canadas, known as the "Jesuit Estates," and particularly what the intentions of His Majesty's Government may be with respect to the future disposition of the same; and also whether any portion of the funds arising from the estates has been, or is at present, applied to any public use in Upper Canada.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
26th December, 1831.

(NOTE.—For further proceedings of the House of Assembly on the 26th of December, 1831, see page 49.)

Mr. Acting Secretary McMahon brought down from His Excellency the Lieutenant-Governor several Messages and documents. Having retired, the Message relating to School Lands was read by the Speaker as follows:

J. COLBORNE:

In transmitting the accompanying Memorials and Correspondence, in compliance with an Address from the House of Assembly, the Lieutenant-Governor acquaints the House that from the documents in his possession it appears that in compliance with a Joint Address of the Upper Canada Legislature in 1797, praying that a certain portion of waste lands of the Crown might be appropriated for the establishment and support of a Free Grammar School in each District,—and also of a College, or University, for the instruction of youth in the different branches of liberal knowledge, the Secretary of State for the Colonies expressed His Majesty's intention to comply with the wishes of the Legislature, in such a manner as should be judged most effectual, first, by the establishment of Free Grammar Schools in the Districts in which they are called for, and, in due time, by establishing other Seminaries of a larger and more comprehensive nature for the promotion of religious and moral learning, and the study of arts and sciences; and directed that the Executive Council and Law Officers of the Crown should be consulted on this subject.*

In consequence of these instructions, the local Government in 1797, recommended twelve townships to be set apart for the purposes of Education, or about 549,217 acres, and it appears that none of the Reserves were alienated till the year 1823, when Lord Bathurst, the Colonial Secretary, authorized a General Board of Education to be formed, and a portion of the reserves to be applied, under the management of the Board, towards raising a fund for the establishment of Township Schools, [i. e., Church of England National Schools].†

In the year 1827, His Majesty's Government ordered 255,273 acres of lands originally set apart for the purposes of Education, to be transferred to the Crown, in lieu of the leased Crown Reserves granted to the University as an endowment for that institution,‡ and lately 66,000 acres have been set apart for the support of Upper Canada College and Royal Grammar School, and for the purpose of raising a fund, from which the advances made to establish that Seminary by the University Council, and by the General Board of Education, may be repaid.§

J. C.

GOVERNMENT HOUSE,
YORK, 24th December, 1831.

* See this Documentary History, Volume I., pages 16-25.

‡ *Ibid.*, pages 205, 211, 264 and 317.

† See this Documentary History, Volume I., pages 180 and 196.

§ *Ibid.*, pages 205 and 289.

The documents accompanying this Message were as follows :

1. Copy of a reference to the Executive Council of a Memorial from the Grand Jury of the London District respecting the endowment of a College.
2. Copy of this Memorial from the Grand Jury of the London District, respecting an endowment of a College at London.
3. Report of the Executive Council on the Lieutenant-Governor's references to it of the Memorial from the London District, etc.
4. Letter and Petition from Trustees, Magistrates, Clergy, etc., of the Town of Kingston, praying that greater facilities for education be given to the District.
5. Replies of the Board of Trustees of the District (Grammar) Schools in the Ottawa, London, Midland, Niagara and Western Districts, to the Circular of the Lieutenant-Governor on the subject of Endowment of these District Schools, dated the 15th of June, 1831.

ENQUIRY AS TO A PROPOSAL TO ENDOW THE DISTRICT GRAMMAR SCHOOLS.

The series of Resolutions on the Royal grant of lands for Grammar Schools and a University, made in 1797, passed during the last Session of the Legislature by the House of Assembly, (pages 24, 25), had the effect of bringing the whole matter again more fully before the House of Assembly during its second Session of 1831.

During the recess, (in April, 1831), Sir John Colborne submitted to his Executive Committee a Memorial of the Grand Jury of the London District on "the endowment of a College at London," apparently as an offset to the establishment of Upper Canada College at York. He also wished them to examine into the whole question as to why the endowment of Free District Grammar Schools, as provided for in the original grant of 1797, had not been carried out.

The Lieutenant-Governor also, in June, 1831, issued a circular to the various Boards of District Grammar Schools, chiefly on the subject of a land grant to these Schools. He evidently felt, as had been strongly expressed in the Report of the House of Assembly, on the 23rd of February, 1831, (pages 21-23), and embodied in the second Resolution adopted by the House on the 21st of December, 1831, (page 39), that the Royal instructions of 1797, accompanying the grant of lands for "free Grammar Schools," and "Seminaries of a more comprehensive nature," had not been carried out. He was, therefore, desirous of finding out whether or not it was practicable to give effect, even at this late date, to these instructions.

The Report submitted to the Lieutenant-Governor by the Executive Council was an elaborate and carefully prepared document. It fully explained why it had not been possible to carry out the Royal instructions of 1797, chiefly for two reasons: *First*, from the fact that the lands originally chosen were not judiciously selected; and *Secondly*, that in consequence of this ill-advised selection, and the

low price of the land so set apart, it was not possible to realize a fund large enough to provide for a "free Grammar School" in any one of the Districts of the Province. A copy of this Report of the Executive Council was sent by the Lieutenant-Governor to each District Board of Grammar School Trustees for their information.

The following were the documents laid before the House of Assembly in response to its Address; also, an analysis of their character:

1. Copy of a Reference by the Lieutenant-Governor to his Executive Council of a Memorial from the Magistrates, etc., of the London District as follows:

GENTLEMEN :

In forwarding the inclosed Memorial from the Magistrates and Barristers of the London District, the Lieutenant-Governor is desirous of calling the attention of the Executive Council to the annexed copy of a Report respecting School Lands.

From this Report, which has been circulated through the Province, it appears that several Districts have been unnecessarily deprived of the benefits which they might have reaped from the Royal Grants made for the purpose of establishing Grammar Schools, had the lands set apart been properly managed; and that the leased Crown Reserves, ceded in 1827, for the endowment of a University, were intended for the support of District (Grammar) Schools.

The Lieutenant-Governor is of opinion that the measures which have been recommended to be adopted, with a view of forming a fund for the maintenance of these Schools, and for their endowment, should be fully explained, in order that the erroneous impressions which may have taken place on this subject may be removed.

GOVERNMENT HOUSE,
22nd April, 1831.

J. C.

2. Memorial from the Grand Jury of the London District, respecting the endowment of a College at London.

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc., in Council :

We, the Magistrates, Barristers, Grand and Petit Jurors, and Yeomanry of the District of London, in General Quarter Sessions of the Peace assembled, beg leave most respectfully to approach Your Excellency with our representations on a subject in which we are deeply interested, both as parents and as members of society.

We have seen, with much satisfaction, Your Excellency's great exertions in the cause of Education, and the fostering care and protection which you have bestowed upon the Minor College, recently established under your direction at York, (the seat of Government), in the hope that the same earnest efforts will be extended to the other divisions of the Province.

Yet, while we wish every success to that Institution, we cannot but feel that the great advantages which it offers can seldom be enjoyed by any of our children; useful, certainly, it will be to the Home District and the Town of York, and, perhaps, to some youth brought up at other Schools, as a place to furnish their preparations for a still higher Seminary; but very few parents are in circumstances in this part of the Province to benefit by Minor College, and still fewer appear inclined to send their children some hundred miles from home at so early an age as boys ought to be to enter a Classical School.

Our object, therefore, in addressing Your Excellency is to request that such an endowment may be granted to the (Grammar) School of the London District, at London, in the District Town, as shall render it efficient as a Classical Seminary and a nursery, (as such Schools are intended to be), for the University of King's College, which we hope soon to see in active operation, notwithstanding the impediments that have been thrown in its way.

We presume not to determine the extent of the endowment, but, perhaps, such a one as would furnish a good School House, a commodious residence for the Head Master, to enable him to keep boarders, and produce an income in a short time of four or five hundred pounds currency per annum, would form an establishment which, under proper management, would answer every purpose which we can reasonably desire.

Your Memorialists are aware that Education of a superior kind cannot be brought to every man's door, and that, under any arrangement, the inhabitants of the Province generally must send their children a short distance from home ; but such is the extent of the several Districts, that the School can seldom be a day's journey from any part of them, and the scholars can return to their homes without expense during the holidays ; and, if sick, they can be visited by their parents in a few hours and removed to their habitations without difficulty ; added to all this, the cheapness at which board can be obtained in country places, the easiness with which, in most cases, it can be paid for by produce from their farms.

Should an endowment, such as we have stated, be found greater than the District of London can justly claim, without clashing with the rights of other District (Grammar) Schools, with which your Memorialists have no desire in the smallest degree to interfere, it is humbly suggested that representations from Your Excellency cannot fail to induce His Majesty's paternal Government to place at Your Excellency's disposal ample means for the liberal endowment of all the District (Grammar) Schools.

We most earnestly hope that Your Excellency's exertions will speedily accomplish an object so pregnant with advantages to the rising generation and to the future prosperity and happiness of the London District, and become thereby entitled to the lasting gratitude of your Memorialists, as well as their latest posterity.

In General Quarter Sessions of the Peace, London District, the fifteenth day of April, 1831.

By order of the Grand Jury,

LONDON, 15th of April, 1831.

MAHLON BURWELL,
Chairman.

3. Report of the Honourable the Executive Council on that part of His Excellency the Lieutenant-Governor's Reference to it of May, 1830, recommending that the District (Grammar) Schools should be endowed with Land.

EXECUTIVE COUNCIL CHAMBER AT YORK,
Friday, 29th April, 1831.

Present :—The Honourable James Baby, Presiding Councillor ; the Honourable and Venerable John Strachan, D.D., Archdeacon of York ; the Honourable Messieurs Peter Robinson, George H. Markland and Joseph Wells.

To His Excellency Sir John Colborne, K.B.C., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY :

The attention of the Executive Council having been particularly directed to that part of Your Excellency's reference of May, 1830, recommending that the District (Grammar) Schools should be endowed with land, they have the honour to report :

1. That the original appropriation of lands, made under the sanction of His Majesty's Government in 1797, in order to raise a fund for promoting Education, consisted of 549,217 acres.

2. That, subsequently, to facilitate settlements, and for other objects, the Government has, from time to time, granted land to individuals, or resumed in order to grant, these various portions of the original reservation, and replaced the same from lands more recently surveyed.

3. That of the original reservation there has been transferred to the Provincial Government, in lieu of the Crown Reserves with which the University of King's College is endowed, 225,273 acres ; and, by a recent order from His Majesty's Government, a Township has been set apart as an endowment for Upper Canada College and Royal Grammar School ; and that some portion of the remainder has, from time to time, been sold under the direction of the General Board of Education, so that the School Lands at the disposal of the Provincial Government for increasing the means of Education in the District (Grammar) Schools cannot be safely taken at more than 240,000 acres, all of which are situated in the Midland, Home and London Districts.

4. That the original reservation was an injudicious selection :

Firstly, because it was confined to three Districts. *Secondly*, because it was made in whole Townships. *Thirdly*, because several of these Townships are found to be of very indifferent land, and containing much altogether unfit for cultivation. Notwithstanding the various changes in the original appropriation, and the several deductions made from it, the proportion left is still liable to these three objections ; it is, therefore, recommended that such lots as are found bad or indifferent, be exchanged for other Crown Lands more available ; and that only

parts, and not whole Townships, be retained, because it is impossible to dispose of lands unless surrounded by settlements, and the greater portion of what remains of the School Lands is far removed from the populous part of the Province.

5. In regard to the endowment of the District (Grammar) Schools, the General Board of Education appeared inclined to apportion the reservation of School Lands equally among them, under some conditions as the following :

(1) That no part of such endowment should be sold under ten shillings per acre.

(2) That only the interest should be expended on the Schools.

(3) That the principal arising from all sales of School Lands be remitted to His Majesty's Receiver-General, to be invested in public securities, so that the income might become regular and certain.

6. On further examination, however, very serious, and, in the opinion of the General Board of Education, insurmountable difficulties stand in the way of this arrangement.

Firstly.—Only three Grammar Schools can receive their endowment within their respective Districts, as the School Lands are at present situated.

Secondly.—That the School Lands in the London District are far more valuable than those in the Home and Midland Districts ; and that, in justice, the whole endowment for any one School cannot be taken from the Reserves in the London District without prejudice to all the other Schools.

Thirdly.—That, in consequence, no District (Grammar) School can, with propriety, have the whole of its endowment in its own District.

Fourthly.—That the Trustees, not having the endowment in their respective Districts, would find it exceedingly difficult to manage the sales of lands at a distance.

Fifthly.—That the expense of management, under such an arrangement, would be very much increased.

Sixthly.—That the quality of the lands is so different that, with every care to make a fair distribution, some endowments would be found more valuable, and sooner available, while others might produce no revenue for many years.

Seventhly.—That such a result would not only give rise to jealousies, but would retard the great object of the appropriation, which is the gradual and uniform improvement of the District (Grammar) Schools throughout the whole Province.

7. That, after giving this important subject their best consideration, the Executive Council has been forced to the conclusion that the whole of the remaining School Lands, consisting of about 240,000 acres, should be placed under the direction of the General Board of Education for the Superintendence of Education throughout the Province—an Institution which rests upon authority equal to that of any other Department in the Colony, and which was not established without the full knowledge and approbation of both the Imperial and Provincial Governments.

8. That each District Board of Trustees for the District Grammar School be incorporated with the General Board of Education, and communicate therewith through its Chairman, or Secretary.

9. That the Treasurer of the General Board of Education be directed to open an account with the several Districts, and to credit them with their proportion of the interest arising from the money hitherto received, or hereafter coming into his hands, from the sales of the said Lands.

10. That the capital arising from such sales be lodged in the hands of the Receiver-General half yearly, to be invested in public securities, under the direction of the Governor-in-Council ; and that the annual income only be expended on behalf of the Schools.

11. By this arrangement, a District (Grammar) School Fund will be gradually accumulated, and although it may not for some time be considerable, yet it cannot fail to be ultimately great ; and it should be borne in mind that public institutions of this kind are for the benefit of the future, as well as of the present generation, and can seldom be made extensively available when first established.

12. There is, however, little doubt but that from judicious exchanges which may be effected, and the rapid increase of population, the General Board of Education will be enabled to give much assistance to the several District (Grammar) Schools at no distant period.

13. This plan offers many advantages of great importance :

First.—The General Board of Education will virtually possess all the knowledge and experience of the several District Trustee Boards, from its communication with their Chairman ; and an interest in its proceedings and success will thus be diffused through the whole Province.

Second.—The improvement of the District (Grammar) Schools will be equal and uniform—a benefit of no small moment.

Third.—Should other Districts be formed it will only be requiring a new account to be opened in the Treasurers' Books, that it may receive its due share of the available funds.

14. A general reservation of lands, producing gradually a School Fund, instead of partial endowments, is supported by the example of such of the neighbouring States as have attended to the raising of a permanent fund for the purposes of Education, and doubtless, from its superior advantages in simplifying arrangements, and facility and cheapness of management.

15. Before closing this Report, the Executive Council think it proper to advert to the assertion frequently brought forward, that the School Reservation might have been made long ago far more productive, and yielding by this time a large disposal fund.

16. It is on record, (in a Report of Council, dated the first December, 1798,* soon after the appropriation was first made) that, on examination, such was the cheapness of land, viz., nine pence per acre, that the whole, had it been sold, would not have furnished a sum sufficient for the decent support of two Grammar Schools.

17. That so long as millions of acres were in course of grant, (which was the case till 1828,) by the Crown in fee simple, for almost nothing, and more than half the population were entitled, from various causes, to gratuitous grants, no lands could have been sold for any price near their value; therefore, sales of School Lands were delayed for more propitious times; nor has the conduct of the Provincial Government differed in this respect from that of individuals, many of whom, who are not wanting in a due regard for their own interest, have, throughout the same period and from the same temporary causes, derived no benefit whatever from the twenty, forty, fifty, or even one hundred thousand acres, which some of them have possessed.

18. Any objection, therefore, on this head is evidently founded in error; and calculations founded upon the receipt of large sums of money derived from sales which could never have been effected, can only be brought forward by those who have not fully understood the subject.

19. Were the General Board of Education for the Superintendence of Education constituted a Corporate Body, to enable it to hold lands, etc., and the School appropriations relieved from assessments till actually sold, its operations might be greatly facilitated.

All of which is most respectfully submitted.

JAMES BABY,
Presiding Councillor.

EXECUTIVE COUNCIL CHAMBER,
YORK, 29th of April, 1831.

4. Letter from Mr. George Baxter, Secretary of the Trustees of the Midland District (Grammar) School, to the Lieutenant-Governor's Secretary, with copy of a Petition respecting the more liberal endowment, of that School, dated Kingston, 29th June, 1831.

I am desired, by the Trustees, to acknowledge your letter of the 15th instant, conveying His Excellency the Lieutenant-Governor's intention of appointing the Trustees of the Midland District School to be Members of the General Board of Education for the superintendence of Education throughout the Province, and accompanied by an extract of a Report of the Executive Council, dated 29th April, 1831.

I beg leave, by the desire of the Trustees, to transmit for His Excellency's perusal, the copy of a Petition which was prepared previously to the receipt of your letter, but had not been yet submitted for signature to the inhabitants of the Town, whose sentiments it is supposed generally to express.

PETITION TO SIR JOHN COLBORNE FROM KINGSTON, MIDLAND DISTRICT, 1831.

The Petition from the Town of Kingston is even more outspoken and remonstrative than the preceding one from the London District. It clearly takes a grievance form at the close, because of the strong objection of the signers to the system of centralization, which, they felt had been pursued by the Executive Government, in placing two of the principal Educational institutions at York, while no pro-

* Documentary History of Education in Upper Canada, Volume I., pages 20-23.

vision had been made, (as suggested in the Report of the Chief Officers of State in 1798,) for a Free Grammar School in the ancient Town of Kingston. The Petition puts it thus :

Not only has a part of [the original grant of lands] been already especially appropriated for the support of the University, but the Provincial Government intends to devote another considerable portion of them to support of the Public (Grammar) School at York, now called Upper Canada College. . . . Without dwelling on the impolicy of devoting the whole of the immense reservation, appropriated by the Royal munificence for the purposes of Education, to the support of two Literary Institutions at the seat of Government, your Petitioners assert, on the part of the Midland District, its equal claim, with the Home District, to a portion of the produce of that Reservation . . . [as] entertained by the Provincial Government, in the year 1798, in favour of the School at Kingston.

The following is a full copy of this Petition to the Lieutenant-Governor of the Magistrates, Clergy, Gentry and other inhabitants of the Town of Kingston, on the necessity of affording greater facilities for the Education of the youth of the Town and its vicinity, dated June, 1831.

While the Petitioners respectfully solicit Your Excellency's favourable notice of their statement, they are sensible that they need not offer any arguments to Your Excellency in proof of the benefits which a well digested, liberal and comprehensive system of Education never fails to diffuse among the people of these countries in which institutions for such purposes are founded and endowed by wise and just Governments.

One of the first Acts of Your Excellency's Administration was to elevate the Public (Grammar) School of the Home District to the rank of a College ; by which Your Excellency has satisfactorily evinced your appreciation of the advantages of Education, and your anxiety that, while the Province advances in wealth and prosperity, the intelligent improvement of its people should not be neglected.

Encouraged to confide in Your Excellency's disposition not to limit your views to the Home District only, but to promote the cause of Education generally throughout the Province, your Petitioners beg leave to submit to Your Excellency the expediency of providing more ample and efficient means of instructing the youth of the Midland District than the Public (Grammar) School at this place can now possibly afford.

For, although your Petitioners are fully sensible that the Public (Grammar) School of this District is as well conducted under its present Master as any other of similar endowment in the Province, still, from the rapidly improving condition of the country and the increasing population of Kingston and its vicinity, the inadequacy of the institution to accomplish the purposes for which it was designed is every day becoming more and more apparent.

The Building used as the School House, and erected many years ago on lots in the Town reserved for that purpose, is at this moment in a very decayed condition ; and there are no public funds from which it is known that any allowance can be made to prevent its falling into absolute ruin.

The Building, moreover, is so small and inconvenient, that although the Master resides in one part of it, he has no accommodation whatever for boarders, a matter of decided importance, not only to the welfare of the School, and the emoluments of the Master, but very frequently also to the morals of the pupils.

Besides the usual Provincial allowance of one hundred pounds (£100) a year, the Master of the Public (Grammar) School at Kingston [the Reverend George Okill Stuart,] enjoyed for some years an additional salary of double that amount, as Teacher of the Royal Grammar School at York, and he was thus enabled to provide competent assistance in the discharge of his duties. This allowance has been withdrawn from Mr. Stuart and transferred to the Public (Grammar) School at York.

Your Petitioners cannot conceal from Your Excellency the dissatisfaction that was created and is still felt, at this act of partiality, so unfair and injurious to the School at this place. Your Excellency will at least be pleased to order the justice be done to it in this particular.

Your Petitioners would respectfully represent, that while they have long hoped to see measures taken by Government for the endowment of the School at Kingston, it was not until they read the Report of a Committee of the House of Assembly, made during the late Session, (See pages 44-46) that they were aware of the precise objects of the provision for Education long ago determined on by the Imperial Government.

According to that Report, it appears that His Majesty, the late King George the Third, whose memory the natives of this Colony should ever affectionately cherish, declared, in the year 1797, his royal intention "to establish Free Grammar Schools in those Districts in which they were then called for, and in due process of time other Seminaries of a larger and more comprehensive nature, for the promotion of religious and moral learning, and the study of the arts and sciences."

His Majesty further intended to support these institutions for the advancement of learning by an appropriation of land; and it appears that, for the accomplishment of these truly benevolent and paternal designs, about half a million of acres of land have been actually held in reserve by the advice, and on the recommendation, of the Colonial Government.

Your Petitioners further learn that the Executive Council of this Province, as early as the year 1798, stated that they considered four Schools necessary, viz., one at Cornwall, one at Kingston, one at Niagara and one at Sandwich; and added, that the circumstances of the times called for the immediate establishment of the Schools at Kingston and Niagara, (or Newark, as the place was then named), while the two other Schools and the University were to be established at a subsequent period.

The above plan, however, seems not to have been again brought under consideration until the year 1819, when the Provincial Government directed its attention to the establishment of a University at York, according to the Report of the Honourable the Executive Council of that year.*

Your Petitioners find that, (contrary to the apparent intention of the Imperial Government in making the munificent reservation of Crown Lands for the purposes of Education,) the establishment of the University was recommended before any Free Grammar Schools had been endowed.

The Honourable the Executive Council, in their recent report, assign as a reason for this recommendation, "that provision for District Schools is not now required out of the funds arising from the School Reserves, being already made by the Legislature," (*i.e.* in 1807-8.)

But this Legislative provision, your Petitioners respectfully contend, is evidently insufficient to effect the object contemplated by His Majesty, King George the Third, viz.:

"The establishment of Free Grammar Schools" or even the establishment of the District (Grammar) Schools on such a basis as is desirable, in order to insure their complete efficiency.

Your Petitioners further observe, that even, supposing the Legislative provision of 1807-8 sufficient to secure competent means of instruction, still it afforded no funds either for the erection of School Houses, or for keeping of them in repair.

While respectfully expressing their dissent from the view taken of this matter, in the recent Report of the Honourable the Executive Council, your Petitioners are unwilling for a moment to be supposed as disapproving of, or undervaluing the institution of a University for the promotion, (according to the Royal Will), of "religious and moral learning, and the study of the arts and sciences;" on the contrary, it is their earnest hope and desire that such a University may soon be in active operation. But, without due support being afforded to the Grammar Schools, (which are the appropriate and indispensable hand-maids to every University), they feel that an institution of this nature, cannot be expected to flourish, or become extensively useful.

It is with a desire to see the Public School at Kingston become a good Grammar School, and, by establishing it on a suitable footing, to insure its being not only a most useful auxiliary to the University, but also a most unexceptionable and attractive place of resort for the numerous class of young persons who merely require instruction in the inferior branches of Education suitable to their intended trading, or mechanical, or agricultural callings in after life, that your Petitioners now beseech the patronage of your Excellency for this our Seminary.

In order to realize the wishes they indulge in on this subject, your Petitioners beg leave to remark, that a new Building should be erected without delay, on a suitable spot, sufficiently large, (independently of the rooms for tuition), to accommodate the Masters and enable them to take Boarders; and that, besides the Head Master, there should be two Assistant Masters, with salaries of moderate amount. By granting salaries to the Masters, the fees for tuition can be materially reduced: and, by enabling them to accommodate boarders, parents in the neighbourhood can send their children at less cost than is possible when they are constrained to send them further from home—two points most desirable and necessary, for few indeed are the parents in this country, having large families, who can afford to keep their sons at a distant institution, where the annual cost for each boy may exceed seventy pounds, (£70) to be paid, of necessity, in ready money.

* Documentary History of Education in Upper Canada, Volume I., page 151.

There are many young persons in Kingston, (the most populous Town in this Province), whose parents cannot bear the expense, by no means light, of sending them to Upper Canada College, and it can hardly be requisite to urge the expediency and necessity of placing within their reach the opportunity of being as well educated, as if their parents were in more affluent circumstances.

Your Petitioners would deferentially inquire whether the reservation of what are called the School Townships, was not made by Government expressly to meet such a case?

Moreover, your Petitioners have been given to understand that, not only has a part of these lands been already especially appropriated for the support of the University, but that the Provincial Government intends to devote another considerable portion of them to the support of the Public (Grammar) School at York, now called Upper Canada College; your Petitioners, therefore, trust that the Public (Grammar) School in the Midland District, situated in a populous town, will be allowed to possess strong claims, not only on the benevolence, but on the justice of Your Excellency's Government, for an ample endowment from the same ample source.

Without dwelling on the impolicy of devoting the whole of the immense reservation, appropriated by the Royal munificence for the purposes of Education, to the support of two Literary Institutions at the seat of Government, your Petitioners assert, on the part of the Midland District, its equal claim, with the Home District, to a portion of the produce of that reservation; and they forbear to press on Your Excellency's notice, the consideration of the views entertained by the Provincial Government, in the year 1798, in favor of the School at Kingston.

They would likewise observe, that, by endowing the Public (Grammar) School at York, with a large portion these reserved lands, in addition to the establishment of an University, at the same place, there would be an undue concentration of the funds arising from this source, unless other parts of the Province were allowed a reasonable participation; and it might also hold out to those dissatisfied, a temptation to continue a practice equally impolitic and pernicious, viz.: that of sending their children to be educated in a foreign country; a temptation which ought, by every possible means, to be speedily removed, and which your Petitioners apprehend may effectually be removed by affording the youth of the country fair opportunities of being liberally and cheaply educated near their own homes.

In thus stating to Your Excellency their sentiments on a matter of paramount importance to the future welfare of the community with zeal and frankness, your Petitioners hope that they may not be considered as having manifested any want of that respect which is so justly due to Your Excellency's character and station, as well as to your Government.

Your Petitioners are earnestly solicitous that the Public (Grammar) School at Kingston, should be speedily placed on a more efficient footing, and are convinced, that to attain this most desirable object, it is only necessary to state the circumstances plainly and fairly to Your Excellency, and thus gain your attention to the claims of the Institution on Your Excellency's support.

Your Excellency, therefore, relying on a favourable consideration of their representations to Your Excellency, as in duty bound will ever pray.

NOTE.—The replies to the Circular issued to the District Grammar School Boards by Sir John Colborne on the 15th of June, 1831, from the Boards of Trustees in the Ottawa, London, Midland, Western and Niagara Districts are chiefly devoted to a criticism more or less favourable to the Report of the Executive Council, sent to them, that it is unnecessary to repeat them here. They will be found *in extenso*, in the Appendix to the Journals of the House of Assembly for the second Session of 1831, pages 137-140. A copy of the Lieutenant-Governor's Circular to these Boards,—although asked for by the House of Assembly—was not included in the papers and Documents sent down to the House by him.

26th of December 1831.—The House having resumed,

Mr. Charles Duncombe, from the Select Committee, to which was referred the Petition of Mr. David Burns and others, inhabitants of the County of Oxford, "praying that the House of Assembly will address His Majesty praying him to authorize the Parliament of this Province to appropriate acres of the waste land of the Crown to constitute a fund for the support of Common Schools, with authority to provide for the surveying and disposal of the same," informed the House that the Committee had agreed to a Report, and the draft of an Address to the Lieutenant-Governor for transmission to His Majesty, both of which he was ready to submit whenever the House would be pleased to receive the same:

The Report was received and read, and the Address to the Lieutenant-Governor on the subject was read a first time. The Report is as follows :

The Select Committee to which was referred the Petition of Mr. David Burns, and others, inhabitants of the County of Oxford to report thereon, and to draft an Address to His Majesty on the subject of a grant of Lands for Common Schools, founded on the same, desire to report as follows :

To the Commons House of Assembly :

The Committee to whom was referred the Petition of Mr. David Burns, and others, inhabitants of the County of Oxford, upon the subject of a grant of lands for Common Schools, respectfully report that the Common Schools of this Province are generally in so deplorable a state that they scarcely deserve the name of Schools ; the amount of public money annually expended for the support of Common Schools, is quite insufficient to effect the object for which it was originally intended, and from the smallness of the amount and mode of application, is rendered useless.

They would therefore earnestly recommend the revision of the Common School law, so that it shall be at once simple, clear and efficient, dividing the Public (Grammar) School money equally among the children taught in organized Schools by a person who has a certificate from the District Board of Education, or School Inspectors, of his, or her, ability to teach a Common School, so that the sum received shall be actually applied towards payment of the Teacher's wages.

The Common School fund should be so large that the interest would be sufficient, added to what the proprietors of Common Schools are able to pay, to support Common School Teachers respectably, and be generally applied throughout the Province, so that Common School Teaching, instead of being a mere matter of convenience to transient persons, or common idlers, would become a regular respectable business, in the hands of gentlemanly, well educated persons.

Surely the formation of the minds of our children, on which must depend the happiness, or misery, we are to enjoy with them, and their own success in life, is a business worthy to be respectable ; worthy of the patronage of men in the highest walks of life ; and how sacred is the trust committed to the representatives of the people !

Funds and appropriation for the support of Education should be permanent ; they should not depend upon the annual vote of the Legislature, nor on any other casualty that might, by possibility, fail, and thereby check the regular progress of Education.

The inquiry then, is, Where is this large fund to be found, and how is it to be obtained ? *Answer*—There is dormant British capital in this Province that might be rendered available and productive, [*i. e.* for the purchase of Government Debentures,] if [thus] placed at the disposal of the Provincial Legislature, sufficient for this purpose, without taxing the people directly or indirectly, one shilling, or in any way lessening the other resources of the Province.

One million of acres of the waste lands of the Crown, placed in the hands of School Fund Loan Commissioners, under an Act of Parliament, authorizing the issuing of Debentures for £500,000, redeemable in ten, fifteen or twenty years, at four *per centum* per annum, with authority for the Commissioners to lend the money upon good and sufficient landed security, at six *per centum*, with the interest annually, the two *per centum* (the difference between which the money could be borrowed, and that at which it could be loaned), would produce a profit or gain of ten thousand pounds (£10,000) per annum ; which might be appropriated towards the support of Common Schools, before and until the lands could be made productive ; but, as the lands were leased, or sold, the rents, or interest of the amount of sales would annually be added to the £10,000, increasing the annual appropriation, until the interest of the whole grant should be annually appropriated to the support of Common Schools.

As lands are annually rising in demand and value, there can be no doubt but what they will redeem the debt, and, as landed security should only be taken for the payment of the principal and interest by the Commissioners, there could be no risk or fear of loss from the failures of those who should borrow money from the Commissioners, as often happens in other money transactions.

But, as ten thousand pounds, even with the present Common School fund, would be very far insufficient for the support of Common Schools, would it not be advisable to pledge the revenues of the Province for the payment of the interest, annually, until the lands could be made available : and, as they become productive, apply the rents, or interest, to the payment of the interest and principal of the loan, until the whole debt should be paid ?

Appropriate five *per centum* (£25,000 annually) to the support of Common Schools, and one *per centum* (£5,000 per annum) for a sinking fund, to be placed at interest, to increase the School fund, as the population of the Province increases.

Your Committee beg leave further to remark, that twenty-five thousand pounds (£25,000) is not one-sixth part of the sum actually required for the support of Common Schools in this Province; there being about two hundred and fifty settled Townships that require immediate support for Common Schools; this would not be more than one hundred pounds (£100) to a Township; but, should something be added from the Jesuits' Estate, and from the sale of some part of the Clergy Reserves, or from any other source, with the present Common School grant (£2,250), these funds united, under proper regulations, would enable our Common Schools to prepare our youth for the District (Grammar) Schools, or District Colleges, endowed by the School Lands already granted, and these Colleges would prepare such of our youth for the University, as shall be desirous of obtaining the highest literary honours.

To what object can the surplus revenues of the Province, for a short time, be applied, or for what purpose could a small tax be levied, that would more materially benefit the people of this Province, than for the support of Common Schools; the great and invaluable purpose of Education.

Where the introduction of capital can be made, without embarrassing the existing financial regulations, of the Province, or interfering with vested rights, that introduction must tend to facilitate the improvement of the country, so long as it can be introduced at half its intrinsic value.

The rapid growth and prosperity of the United States may be imputed more to their anticipating their resources, by means of banks and loans, whereby those resources were themselves doubled, than any other cause.

CHARLES DUNCOMBE,
Chairman.

COMMITTEE ROOM, HOUSE OF ASSEMBLY,
26th December, 1831.

Mr. Charles Duncombe, seconded by Mr. Rowsell Mount, moves that the Report of the Select Committee, just read, upon the subject of a land grant for Common Schools be referred to a Committee of the Whole House, upon the same subject, which was ordered.

The Address, submitted by the Select Committee with their Report, was as follows :

To His Excellency, Sir John Colborne, K. C. B., Lieutenant-Governor of Upper Canada, etc :

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada in Provincial Parliament assembled, most respectfully beg leave to represent that there is in this Province a very general want of Education; that the insufficiency of the Common School fund to support competent, respectable, and well educated Teachers, has degraded Common School teaching from a regular business to a mere matter of convenience to transient persons, or common idlers, who often teach the School one season and leave it vacant until it accommodates some other like person to take it in hand, whereby the minds of our youth are left without cultivation, or, what is still worse, frequently with vulgar, low-bred, vicious, or intemperate, examples before them, in the capacity of monitors.

If provision were made for the liberal and punctual payment of Common School Teachers, under proper regulations, the teaching of Common Schools would soon become a regular and respectable business. Gentlemanly, well educated, persons would not be ashamed to take charge of our youth; our Schools would be no longer vacant, nor our youth ignorant; Upper Canada would then form a national character, that would command respect abroad, and insure peace, prosperity and happiness at home, perpetuate our attachment to British principles and British institutions, and enable our posterity to value as they ought, the inestimable blessings of our glorious Constitution.

We would therefore respectfully request Your Excellency to cause this Address to be laid before His Majesty's Principal Secretary of State for the Colonies; representing to His Majesty, that there is dormant British capital in this Province which might be rendered available and productive, if placed at the disposal of the Provincial Legislature, sufficient to place its Schools in as flourishing a condition as they are in any part of the civilized world; and entreating that His Majesty will be graciously pleased to place at the disposal, or transfer to the care of the Provincial Legislature, one million (1,000,000,) of acres of the waste lands of the Crown, as a permanent fund for the support of Common Schools within this Province.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
26th December, 1831.

Agreeably to notice, Mr. James H. Samson, seconded by Mr. William Morris, moves that it be

Resolved, That while this House fully appreciates His Majesty's Gracious intention, in granting a Royal Charter for the establishment of a University in this Province, we would most humbly beg leave to represent that, as the great majority of His Majesty's subjects in this Province, are not members of the Church of England, we regret, therefore, that the Charter contains provisions which are calculated to exclude from its principal offices and honours all who do not belong to that Church.

(2) In consequence of these provisions, its benefits will be confined to a few individuals of one religious denomination ; while others of His Majesty's subjects, equally loyal and deserving, will be excluded from participating in advantages which should be open to all.

(3) Its influence as a Seminary of Learning, on this account, must be limited, and will be looked upon with jealousy by a large majority of the inhabitants of this Province, that, therefore, it is expedient to present an humble Address to His Majesty, praying that His Majesty will be graciously pleased to cause the Charter of King's College to be cancelled, and to grant another, free from the objections to which our duty to the people of this Province has induced us to advert.

On which the House divided, and the yeas and nays were taken as follows : Yeas, 20 ; Nays, 2. The nays were the Attorney and Solicitor-General, (Messieurs H. J. Boulton and C. A. Hagerman.) The Address was read a first and second time and was ordered for a third reading to-morrow.

27th December, 1831.—Mr. Rowsell Mount, seconded by Mr. William Elliott, moves that five hundred copies of the Documents sent down to this House by His Excellency the Lieutenant-Governor, yesterday, in regard to School Lands in this Province, be printed for the use of Members, which was ordered. (For list, see page 42).

On the Order of the Day for the third reading of the Address to His Majesty, on the subject of King's College being called,

Mr. James H. Samson, seconded by Mr. Asa Werden, moves that the Address be not now read a third time, but that the House do now resolve itself into a Committee of the Whole upon the same, which was carried, and Mr. William Morris was called to the chair.

The House having resumed, Mr. Morris reported the Address as amended. The Report was received, and the Address was ordered to be engrossed and read a third time to-morrow.

28th December, 1831.—Agreeably to the Order of the Day, the Address to His Majesty, on the subject of the Charter of King's College, was read the third time. On the question for passing the same, the House divided and the yeas and nays were taken as follows : Yeas, 29 ; Nays, 7. The nays were Messieurs Buell, junior, Campbell, Howard, Ketchum, Perry, Shaver and Solicitor-General Hagerman.

The question was carried in the affirmative by a majority of twenty-two, and the Address was signed by the Speaker, and is as follows :

To the King's Most Excellent Majesty :

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to submit to Your Majesty that, while we fully appreciate the gracious intention of our late revered Sovereign, George the Third, to promote Education by granting a Royal Charter for the establishment of an University in this Province, we feel it incumbent on us to represent that, as the great majority of Your Majesty's subjects in this Province, are not members of the Church of England, it is a matter of regret, that the Charter contains provisions which are calculated to exclude from its principal offices and honours all who do not belong to that Church.

In consequence of these provisions the benefits of the Institution will be confined to a few individuals of one religious denomination ; while others of Your Majesty's subjects, equally loyal and deserving, will be excluded from participating in advantages which should be open to all.

Its influence, as a Seminary of Learning, on this account, must be limited, and will be looked upon with jealousy by a large majority of the inhabitants of this Province.

We, therefore, humbly pray that Your Majesty will be graciously pleased to cause the Charter of King's College to be cancelled, and to grant another free from the objections to which our duty to the people of this Province has induced us to advert.

ARCHIBALD McLEAN,
Speaker.

Mr. James H. Samson, seconded by Mr. Hugh C. Thomson, moves that an Address be presented to His Excellency the Lieutenant-Governor, imploring His Excellency, that this House has passed an Address to His Majesty, on the subject of the Charter of King's College ; and requesting His Excellency to transmit the same, and that Messieurs William Morris and Rowsell Mount, be a Committee to draft and report the same, which was ordered.

Mr. William Morris, from the Select Committee, to draft an Address to His Excellency the Lieutenant Governor, requesting him to transmit the Address to the King, on the subject of the Charter of King's College, presented a draft which was received and read twice, concurred in, and ordered to be engrossed and read a third time to-morrow.

29th December, 1831.—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, requesting him to transmit to His Majesty's Secretary of State, for the Colonies, the Address to the King, on the subject of King's College Charter, was read the third time, passed and signed by the Speaker, and is as follows :

To His Excellency Sir John Colborne, K. C. B., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, have passed an Address to His Majesty, on the subject of the Charter of King's College, which we respectfully pray Your Excellency will be pleased to transmit to His Majesty's Principal Secretary of State for the Colonies, in order that it may be laid at the foot of the Throne.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
29th December, 1831.

Mr. James H. Samson, seconded by Mr. John Warren, moves that Messieurs Rowsell Mount and William Elliott, be a Committee to wait upon His Excellency the Lieutenant-Governor, to learn when he will be pleased to receive this House, with the Address to His Majesty on the subject of the Charter of King's College, which was ordered.

Mr. Allan N. Macnab reported that the Address of the 26th inst., on the Jesuit Estates, had been delivered to His Excellency.

Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for leave to bring in a Bill regulating Common Schools in this Province.

CONTINUATION OF THE EDUCATION PROCEEDINGS OF THE HOUSE OF ASSEMBLY, 1832.

2nd January, 1832.—Agreeably to notice, Mr. Mahlon Burwell, seconded by Mr. Rowsell Mount, moves that it be resolved, this House do address His Majesty, humbly beseeching that His Majesty will be graciously pleased to grant an appropriation of one million of acres of waste lands of the Crown in this Province, for the maintenance and support of Common Schools within the same,—to consist of such Crown Reserves as are not given over to the Canada Land Company, or under Patent to the University of King's College ; and, if these should come short of the quantity, the residue to be made up from the waste lands of the Crown, in the London and Western Districts.

On which a debate ensued. Mr. Peter Perry, seconded by Mr. John Campbell, moves that the debate be adjourned, and that the House do resolve itself into a Committee of the Whole on the subject matter of the Resolution on Monday next ; which motion was lost.

Mr. James H. Samson, seconded by Mr. Asa Werden, moves that the question be now put, but that the Resolution be referred to the Committee of the Whole on the subject of Common Schools. On which the House divided, and the yeas and nays were taken as follows : Yeas, 28 ; Nays, 11. The motion was carried by seventeen votes.

4th January, 1832.—At eleven o'clock, the House waited upon His Excellency the Lieutenant-Governor with its Address, requesting His Excellency to transmit the Address to His Majesty, on the subject of King's College Charter, to His Majesty's Principal Secretary of State for the Colonies, to be by him laid at the foot of the Throne, and having returned, the Speaker reported that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN :

I will forward this Address to the King immediately.

It may, however, be satisfactory to you to receive information that I have reason to believe that, either the exclusive provisions considered exceptionable in the Charter of King's College have been cancelled, or, that such arrangements have been decided upon by His Majesty's Government, as will render further applications on this subject unnecessary.

A Charter solemnly given cannot be revoked, or its surrender obtained, without much delay and circumspection ; but His Majesty's Ministers have long directed their attention to the great advantages which the Province will derive from a University being established on principles that may be approved of by every good and enlightened person.

GOVERNMENT HOUSE,

YORK, 4th January, 1832.

J. C.

NATURE OF THE DESPATCH FROM LORD GODERICH, COLONIAL SECRETARY, IN REGARD TO THE CHARTER OF KING'S COLLEGE, 2ND OF NOVEMBER, 1831.

There is no evidence, in the recorded proceedings of either House of the Legislature, to show that Sir John Colborne had informed its Members of the foundation for his belief, as expressed in the foregoing Message to the House of Assembly, that "the exclusive provisions of King's College have been cancelled," or that other "arrangements have been decided upon." There is scarcely any doubt, however, that the following clear and outspoken Despatch on the subject was in his possession, when he sent his Message of the 4th of January to the House of Assembly. Why he had not specifically informed the House of the contents of this Despatch does not appear, unless it may have been, that he regarded it as confidential in its character, or in the nature of suggestions, or counsel, as to how he should be guided in his dealings with the Legislature on the subject. As a rule, Sir John Colborne acted upon this principle of reticence in his communication to the Legislature, preferring, when necessary, to convey the substance of Despatches from the Home Government to either House, rather than to furnish its Members with the actual text of the instructions received from the Colonial Secretary. The appeal to members of the Church of England, in the latter part of the Despatch, is in good taste, and was well expressed.

The Reverend Egerton Ryerson, in an editorial in the *Christian Guardian*, of the 25th of January, 1832, sought to account for the nature of this reply of the Lieutenant-Governor to the Address of the House of Assembly. He said :

The enquiry will naturally arise, by what means has His Majesty's Government been induced, either to cancel "the exclusive provisions" of King's College Charter, or to make such other arrangements "as will render further applications on the subject unnecessary?" The following extracts of a letter from George Ryerson, Esquire, Agent of different Christian denominations in Upper Canada, to Lord Goderich, Secretary of State for the Colonies, will furnish an appropriate answer to this question, and show the honourable principles on which the friends of civil and religious liberty, and their Agent in London proceed, and the noble objects they have in view. The following are extracts from Mr. Ryerson's letter to Lord Goderich :

"Your Lordship intimated to me that the difficulties in Upper Canada respecting General Education might be compromised by leaving King's College for the Members of the Episcopal Church, and endowing another College, (on a more extensive scale), for the country generally. . . . You expressed a wish that an unworthy jealousy would not make us, the Petitioners, object to the existence of King's College, that is, as an Episcopal College, provided liberal provisions were made for others, etc. . . . But I assure your Lordship that many of the most powerful opposers of the Institution, in its present character, and of the system of an ecclesiastical establishment, with which it is identified, are Churchmen. . . . I then repeat it, that, constituted as the population of Upper Canada is, every independent man feels and acknowledges that it would be impolitic and unjust to confer upon any religious class such emoluments, power and literary, or other advantages as would virtually constitute that denomination the established religion. . . .

"We therefore oppose King's College, and every approximation towards an exclusive religious or ecclesiastical establishment, not only from feelings of patriotism, but from principles of loyalty. . . . I unite with my countrymen in resisting every encroachment upon our equal rights and liberties, and the attempts of those who wish to . . . mingle with the fountains of knowledge the bitter waters of sectarian strife and jealousy. . . .

"I am well assured that the only certain security and permanent protection for British power in North America will be to give those Colonies a Liberal Government, free and popular institutions, and full power to regulate and manage all their internal concerns, civil, literary and ecclesiastical, themselves."

The following is a copy of Lord Goderich's Despatch of the 2nd of November, 1831 :

1. Among the subjects which your correspondence, public and private, with this Office, has brought under my notice, there is none more important than that of Public Education, and particularly that part of it which relates to the existing constitution of King's College, at York.

2. There can be no doubt that that Institution was established with a view of giving to the Province of Upper Canada the benefit of complete instruction in all the higher branches of knowledge, and of connecting in the minds of the youth of the Province those associations which belong to the seat of early Education, with their future progress in life; and it is greatly to be regretted that anything in the constitution of the (College) establishment should have tended to counteract, if not to defeat, this laudable design, and practically to deprive the Province of the advantage which was anticipated from its adoption. It cannot, however, be denied that the exclusive and restrictive character given to King's College has had this effect, and a plan which was intended to bring together and to harmonize, in the pursuit of the common object of useful knowledge, all classes of His Majesty's subjects, has had the opposite effect of causing uneasiness, complaint and dissension. It is obvious, in this state of things, too notorious to require detailed proof, that it is the duty of His Majesty's Government to consider what course of policy is most likely to remedy the evil, and to insure to the Province a real enjoyment of the advantages intended to be conferred on it. Had the recommendations of the Canada Committee of the House of Commons* upon this subject been successfully followed up at the time they were submitted by you to the Provincial Legislature, under the instructions given to you by my predecessor,† and had the restrictive clauses of the Charter been then removed, there is every reason to presume that such a course would, at once, have proved satisfactory and effective. Even now, that measure appears to afford the most easy and simple means of meeting the difficulty of the case; and, without entering into a discussion of the probable causes of the delay in carrying the recommendations of the Committee into effect, some additional facility for now adopting them may be found in the circumstance that, whilst no positive steps have been taken for giving to King's College any practical existence, the new College which you have established, has been forwarded with considerable activity, and is now open for the instruction of youth. It may, therefore, be assumed that experience has demonstrated that, under the peculiar circumstances of Upper Canada, a College with restrictive tests, is altogether inoperative for any useful purposes; and that all that is wanted is such a system of regulations, to be established by a law of the Province for the management of the Institution of Upper Canada College, as may give to it the requisite extension and development, without subjecting it to any qualifications calculated to render it unpopular in the eyes of those various classes of the community for whose benefit, as well as for that of the Church of England, it is established.

3. I am confirmed in this latter observation by referring to a resolution of the House of Assembly of 2nd March, 1829, in which the following opinion is pronounced upon the advantage likely to result from the establishment of the Upper Canada College :

"Resolved, That this House trusts that no hope for modifications of the present Charter will suspend the exertions of His Excellency to put into operation 'Colborne College,' and by the observance of those liberal principles which His Excellency has already been pleased to patronize, and recommend to open, with as little delay as possible, opportunities of Education in no way inferior to those contemplated by the proposed University."‡

4. Under these circumstances, I am to convey through you to the Members of the Corporation of King's College, at the earnest recommendation and advice of His Majesty's Government, that they do forthwith surrender to His Majesty the Charter of King's College of Upper Canada, with any lands that may have been granted them. I persuade myself that the counsels which are thus given to that body, in the spirit of the most perfect respect for all the individuals of whom it is composed, will not be disregarded; and, it is on this assumption, that I proceed to notice the ulterior measures which, upon such a surrender, it will be convenient to adopt. It can scarcely be necessary to say that no part of the endowment of King's College would even be diverted from the great object of the Education of youth. It must be regarded as a fund sacredly and permanently appropriated to that object. I presume that the general concurrence of all classes of society may be anticipated in favour of a new College upon a more enlarged basis.

5. As it is the intention of His Majesty to manifest his desire that the internal concerns of the Province should, as far as possible, be regulated by its own Legislature, I abstain from instructing you, with any particularity, on the subject of the general regulations which it may be expedient to apply to the Government of the new College. They will, doubtless, be well considered by the Legislature, and adopted in a spirit of justice, mutual harmony and good will. But there is one object to which I must direct your intention, and which you will not fail

* Documentary History of Education in Upper Canada, Volume I., page 253.

† *Ibid*, pages 253 and 257.

‡ *Ibid*, page 275.

specially to recommend to the consideration of the Legislature, I mean the permanent establishment in the College, upon a secure footing, of a Divinity Professor of the Church of England. This is a matter of great importance to those of His Majesty's subjects in Upper Canada who belong to the Church of England; and His Majesty, as Head of that Church, can not be insensible to the duty which belongs to him of protecting it in all parts of his Dominions.

6. It is not from any desire to give an undue preponderance to the Colonial members of that Church, either as regards the College in particular, or the concerns of the Province generally, that His Majesty has this object at heart; but, when His Majesty cheerfully recommends the surrender of a Charter, which the Crown was lawfully and constitutionally entitled to grant, on account of the dissatisfaction which its exclusive character has created, he feels an entire confidence that his faithful subjects, the Members of the two Houses of the Legislature of Upper Canada, will see nothing in his anxiety for the specific object to which I refer, but a proof that, whilst he is most desirous of remedying all real grievances, and removing all just grounds of discontent, he is not forgetful of those interests to which he is peculiarly bound to attend, and which His Majesty is sure can be attended to in this instance without prejudice of any kind to any other of his subjects.

7. I shall await, with much solicitude, your report of the result of the communication which I have now made to you. I am well aware of the jealousies, not to say animosities, which have been engendered in the Province by the agitation of this question; and it is scarcely to be expected that those feelings can, all at once, subside with the cause which gave them birth, nor can I conceal from myself that there may be prejudices and habits of thinking, which may not be easily reconciled to the adoption of the new system, but it cannot be to the interest of any class of Christians to be an object of jealousy, perhaps of dislike, to those who, differing upon certain points of doctrine and discipline, find themselves debarred, by the effect of that difference, from an equal share in advantages universally desired, because universally beneficial.

8. It will be your special duty to use every exertion to impress upon all classes the incalculable importance of looking at all questions of this description with moderation and forbearance. The members of the Church of England should remember the peculiar situation in which they stand, in the midst of a population of whom so large a proportion differs from them in religious opinions; how much that situation exposes them to the chance of painful collision with large masses of their fellow subjects; and how much the extension of their own Church depends upon the absence of all grounds for such collision.

9. Those who, on the other hand, differ from them, ought not to forget the causes which drew to the Church of England the marked countenance of the British Parliament, when, on the first establishment of a Legislative Assembly in Canada, many ancient and laudable associations of feeling and long attachment to the Established Church, whose rights and privileges centuries of legal and constitutional possession had consolidated, created a natural predilection in the English Parliament for the National Church, even in the more remote possessions of the Crown; and, if a difference of circumstances in Upper Canada has prevented such sentiments from taking extensive root there, every religious man,—be his mode of faith, and his views of Church discipline what they may,—must feel that the interests of religion, and its concomitant morals, cannot prosper among heart burnings and jealousies. If, therefore, it be fitting to call upon the Church to forego the exclusive advantages which the present Charter confers upon it, it is no less incumbent upon all other classes of Christians to receive the boon now tendered them in that conciliatory spirit by which alone His Majesty's subjects can be united, by those common ties of mutual attachment which constitute the strength and mature the prosperity of a nation.

GODERICH.

DOWNING STREET,
2nd November, 1831.

5th January, 1832.—Agreeably to the Order of the Day, the Education Bill, introduced by Mr. William Buell, junior, on the 23rd November, 1831, (page 32,) was read the second time. On the question of referring the Bill to a Committee of the Whole House, the House adjourned.

NOTE.—Thus Mr. Buell's Education Bill, to which I have referred on page 32, was dropped; and it was not taken up again by the House during the Session.*

* Mr. Buell's father represented the County of Leeds in 1801; and in 1829, 1831 and 1835 the son (Mr. William Buell, junior,) was elected for the same County. He was an active militia man in 1812-13 and again in 1837-38. He did good service in the House of Assembly, in promoting, as he did most effectively, the cause of Education. He died in 1862, aged 70 years. His brother was the late Mr. Andrew Norton Buell, Master-in-Chancery.

SECOND EXPULSION OF MR. WILLIAM LYON MACKENZIE, 1832.

Mr. Mackenzie having, on the 12th of December, 1831, been expelled from the House of Assembly, for alleged libel, and "for a high breach of the privileges of the House," again sought re-election. His offence was the publication of severe criticisms on the proceedings of the House of Assembly in his paper, the *Colonial Advocate*, of the 24th of November, and the 1st of December, 1831.

It arose in this way : Mr. Peter Frank and other electors of the Township of Vaughan, petitioned the House of Assembly on the 21st of November, 1831, complaining of a number of things—fifteen in all—relating to the disposal of reserved lands for Roads and Education ; to land granting, exclusive religious privileges, representation in the Legislature, control of taxes, the public debt, banking, the civil list, administration of justice, intestate estates, the right of impeachment, independence of the judges, the Executive not possessing the confidence of the people, etc. Mr. Mackenzie moved that this Petition be referred to a Select Committee, which he named. His motion was lost ; and an amendment by Mr. Hugh C. Thomson, Editor of the Kingston *Herald*, was carried, referring the Petition to a Committee to be chosen by ballot. Speaking of this vote Mr. Mackenzie, in the *Colonial Advocate* of the 24th of November, 1831, said : "The Executive faction carried measure by a majority of six" ; and in the *Colonial Advocate* of the 1st of their December, he said :

Our representative Body has degenerated into a sycophantic office for registering the decrees of as mean and mercenary an Executive as ever was given as a punishment for the sins of any part of North America, in the nineteenth century.

These utterances were held to be libellous, and, after a long debate, Mr. Mackenzie was expelled from the House of Assembly by a vote of 24 to 15.

In issuing his appeal for re-election, he made a vigorous onslaught on the Government generally. This attack he headed, "Articles of Impeachment, or a Public Accusation against the Lieutenant-Governor, Sir John Colborne, and his Advisers." His impeachment was directed against the Legislature itself as well.

On his taking his seat in the House—having been re-elected by a large majority—Solicitor-General Hagerman moved, that the "Articles of Impeachment" were malicious libels upon this House, and against its privileges."

These "Articles of Impeachment" contain a long series of charges against the Lieutenant-Governor, the Executive and Legislative Councils and the House of Assembly. Although couched in strong and somewhat exaggerated language, yet these charges were, in substance, those which had been made in different forms, but in milder language, many times before. They had a strong element of truth in them ; but, being offensive in tone, they called forth the strong condemnation of the Members of both Houses. Nevertheless, the motion for Mr. Mackenzie's expulsion from the House of Assembly was only carried by a majority of eight. The vote was : 27 Yeas, and 19 Nays.

Most of the charges against Sir John Colborne were for his educational acts. They are, therefore, given in full, as well as are those alleged against the two Houses of the Legislature, etc.

6th January, 1832.—Mr. Solicitor-General Hagerman, Member for Kingston, rose and submitted a question of privilege, and read in his place certain passages from an article in a public newspaper called the *Colonial Advocate*, entitled “Articles of Impeachment, or Public Accusation, read and submitted to the consideration of the Electors of the County of York, on Monday, January 2nd, one thousand eight hundred and thirty-two, by Mr. William Lyon Mackenzie, their late Member, against the Lieutenant-Governor of the Province and the Advisers of the Crown,” and signed “W. L. Mackenzie.”

The Clerk read at the Table the publications complained of, [of which the Educational portions] are as follows :

1. And first, with regard to the Lieutenant-Governor : Is he not deserving of Impeachment ?

He has taunted the Ministers of certain religious sects with their ignorance of a University education, and has provided a College at the expense of the people, the sectarian rules of which must necessarily forever exclude these Ministers and their congregations from participating in its benefits. (See pages 1, 11 and 12.)

He has endeavoured to lay the foundation of a dangerous system of Education :

1st. By desiring the Vice-Chancellor of the University of Oxford to elect “the Principal and most of the Masters” of the Provincial College,* although that Vice-Chancellor and the institution over which he presides are bitterly opposed to the patriotic and liberal Cabinet of His Majesty, and although Oxford has been justly characterized as a sanctuary where exploded systems and obsolete prejudices find shelter and protection.

2nd. By conducting the affairs of the College in this Town, on a narrow, bigoted and sectarian plan, calculated to raise up a class of educated men, opposed to the liberal principles of the British Government, and wedded to the aristocratic notions of the fallen Tory oligarchy.

3rd. By arbitrarily blending the Home District School, and (Royal) Grammar School, with the above dangerous sectarian institution.

4th. By exposing for sale the lands set apart for a District School in the Home District, as well as the School House and offices, without the consent of the people or the authority of the Legislature, and appropriating the proceeds according to his own pleasure, and without accounting to the country.

5th. By capriciously withholding from the Teachers of Common Schools qualified and recognized by law, their proportion of the Common School money raised from the taxes, at the instigation of the Reverend Doctor Strachan, or of other favourites, of which the case of Mr. Thomas Appleton of this Town, recorded on the Assembly's Journals of 1828,† is a striking instance ; by causing his District Boards of Education to dictate to the Teachers and School Trustees what books they may, or may not, use ; and by keeping secret from the public the expenditures in detail of some of the Common School appropriations, and illegally permitting the Board to consume a part in salaries and perquisites expressly forbidden by the Statutes.

6th. By selecting as Masters of the District Schools persons of certain favoured creeds, or who have become converts to the Church of England, under suspicious circumstances, after the manner of the Archdeacon of York, and by choosing almost exclusively, as School Trustees and Members of District Boards of Education, persons of those religious tenets held by a minority of the people of Upper Canada.‡

There is perhaps not one Methodist, or Baptist, School Trustee, or a Member of a District Board of Education in the Colony.

7th. By causing to be printed, with the public money, large quantities of Church of England Catechisms and other School Books, and giving no regular account in detail of what has become of these books.

* Documentary History of Education in Upper Canada, Volume I., page 286.

† *Ibid*, page 244.

‡ *Ibid*, pages 298, 307-309, 315, 316.

Further on, referring to the individuals composing the Executive Council, Mr. Mackenzie says :

They are the same Council who have interfered in the most unwarrantable manner with the Education of the country, contrary to law ; and who have suffered 500,000 acres of land, granted by His Majesty's Government many years ago (1797), for the purposes of Education, to remain a wilderness. . . .

The Legislative Council . . . has on innumerable occasions rejected the most wise salutary laws. . . . (Among others, one) : For establishing, on a just and liberal principle, Upper Canada College in this Town.* . . . For granting a small aid for a few years to an Academy, (The Grantham), incorporated in St. Catharines. (Page 28).

The House of Assembly . . . has neglected further to encourage Education, although the people cried out for it.

After the reading of these "Articles of Impeachment" by the Clerk of the House, Mr. Mackenzie, at the instance of the Speaker, was allowed to enter on his defence, which he did, and the further consideration of the question of privilege was postponed until the next day. In the meantime, a Message from the Legislative Council was received and read by the Speaker, containing a series of resolutions on Mr. Mackenzie's "Articles of Impeachment," which the Legislative Council desired to communicate to the House of Assembly.

On the 8th of January, 1832, the House, by a vote of 27 to 19, expelled Mr. Mackenzie a second time from the House of Assembly, "during the present Parliament." In consequence of these proceedings against Mr. Mackenzie, Mr. Peter Perry, seconded by Mr. Marshall S. Bidwell, moved that the Lieutenant-Governor be requested to dissolve the present House, and thus "submit the conduct of the members to the decision of their constituents." This motion was rejected by a vote of 27 to 18.

12th January, 1832.—Mr. Acting Secretary McMahon, brought down Messages from the Lieutenant-Governor. He having retired, that relating to School Lands was read by the Speaker as follows :

J. COLBORNE :

The Lieutenant-Governor, with reference to Documents which were forwarded with his communication in compliance with an Address to the House of Assembly respecting School Lands, during the present Session, transmits to the House abstracts of accounts of the receipts and expenditure of King's College, Upper Canada College and Royal Grammar School, and the General Board of Education.

J. C.

GOVERNMENT HOUSE,
YORK, 12th January, 1832.

* For the reasons for this rejection, see the references to the subject in the Documentary History of Education in Upper Canada, Volume I., Pages 301-305.

No. 1.

General Abstract of Sales of Lands belonging to the University of King's College, from their commencement, to the first of July, 1831, with an account of the Payments made thereon.

	No. of Sales.	No. of Acres.	Amount of Sales.	Amount of first Payments.	Amount of subsequent payments.	Amount received on account of interest.	Total amount received.
			£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Total amount from the date of first sale, 23rd June, to the 31st of Dec., 1828	22	3,167	3,756 10 0	773 1 0	0 0 0	0 0 0	773 1 0
Total amount for half year, ending June 30th, 1829	67	8,186	9,042 5 0	969 5 9	479 15 0	10 12 6	1,459 13 3
do do do December 31st, 1829	26	3,577	3,852 0 0	733 5 0	371 8 6	14 5 10	1,118 19 4
do do do June 30th, 1830	47	5,886	6,554 10 0	943 9 0	1,823 12 3	83 5 0	2,850 6 3
do do do December, 31st, 1830	22	2,784	2,937 10 0	625 0 0	780 19 0	37 19 7	1,443 18 7
do do do June 30th, 1831	37	4,628	5,310 0 0	837 2 6	2,939 7 6	258 10 11	4,055 0 11
Provincial currency	221	28,228	31,452 15 0	4,881 3 3	6,395 2 3	404 13 10	11,680 19 4

No. 2.

General Abstract of the receipts of all Moneys which have been paid into the hand of the Bursar of the University of King's College, (arising from rent, sale of lands, and Royal Grant) from the founding thereof to the 1st of July, 1831.

	Account of Rents.		On account of Sales of Lands.		Half-yearly Grants from the Crown.		Total amount of receipts.	
	£	s. d.	£	s. d.	£	s. d.	£	s. d.
Total amount of receipts from the first establishment to the 31st of December, 1828.....	118	5 2	733	1 0	{ 555 11 1 } 555 11 1	2,002	3 7	
Total amount for half year, ending 30th June, 1829	383	9 9	1,459	13 3	555 11 1	2,398	14 1	
do do do 31st December, 1829	350	6 4	1,118	19 4	555 11 1	2,024	16 9	
do do do 30th June, 1830	518	14 6	2,850	6 3	555 11 1	3,924	11 10	
do do do 31st December, 1830	272	17 7	1,443	18 7	555 11 1	2,372	7 3	
do do do 30th June, 1831	747	13 10	4,035	0 11	555 11 1	5,338	5 10	
Total receipts on account of rent	2,491	2 5	11,680	19 4	3,888	17 7	18,060	19 4

NOTE.—The other accounts submitted to the House of Assembly by the Lieutenant-Governor are too much in detail to be inserted here. They can be found on pages 181-185 of the Appendix to the Journals of the House of Assembly for 1831-32.

13th January, 1832.—Mr. James Lyons brought up the Petition of Mr. George B. Spencer, of the Village of Cobourg, in the Newcastle District ; which was laid on the Table. On the 16th of January this Petition was withdrawn. On the 18th it was again presented to the House as amended, and on the 20th it was read.

14th January, 1832.—Agreeably to the Order of the Day, the House went into Committee of Supply. Mr. James Crooks was called to the chair. The eleventh Resolution, relating to the Grantham Academy, was read as follows :

(1) *Resolved*, That whereas the Seminary incorporated by an Act of the Provincial Legislature, under the name and style of the "Grantham Academy" was established, and is, to a certain extent, supported through the donations and subscriptions of private individuals ; and whereas the instruction of youth in classical, mathematical, and other useful branches of education is conducted at the said Academy, under the direction and superintendence of Trustees by competent Teachers ; and whereas the said Academy, from its local situation, respectability and good management as a Seminary of Education, is deserving of support and encouragement, it is therefore :

(2) *Resolved*, That the sum of one hundred pounds, (£100) for five years, be granted to the said Academy from the public funds of this Province, to make more ample provision for the support of the Teachers thereof, than can be obtained in the infant state of the institution from fees paid by students, and other ordinary resources.

In amendment, Mr. James H. Samson, seconded by Mr. Philip Vankoughnet, moves that the words "five years" be struck out, and the words "one year" be inserted in the place thereof, on which the House divided, and the yeas and nays were taken as follows : Yeas 10 ; Nays 28. The question of amendment was decided in the negative by a majority of 18. On the original question the House divided and the yeas and nays were taken as follows : Yeas 20 ; Nays 19. The question was carried in the affirmative by a majority of 1.

16th January, 1832.—Mr. John Clark, seconded by Mr. Stephen Randal, moves that Messieurs Bartholomew C. Beardsley and John Warren be a Committee to draft and report a Bill pursuant to the Resolution of this House, granting aid to the Grantham Academy.

Mr. John Warren, from the Select Committee to draft and report a Bill, in accordance with the Resolution of the House on the subject of aid to the Grantham Academy, presented a draft, which was received and read a first time, and ordered for a second reading to-morrow.

18th January, 1832.—Mr. James Lyons brought up the Petition of Mr. George B. Spencer, of the Village of Cobourg, in the Newcastle District, which was laid on the Table.

20th January, 1832.—Agreeably to the Order of the Day, the Petition of Mr. George B. Spencer, of Cobourg, praying that a law may be passed, enabling him, (being a minor,) to convey a certain piece of land in trust for the use of the Upper Canada Academy, about to be instituted at Cobourg, was read.

NOTE.—Nothing further is reported in the proceedings of the House of Assembly in regard to this Petition.

21st January, 1832.—Agreeably to the Order of the Day, the Bill granting a sum of money in aid of the Grantham Academy, was read a second time and referred to a Committee of the Whole House. Mr. Peter Shaver was called to the chair.

The House having resumed, Mr. Shaver reported the Bill without amendment.

23rd January, 1832.—Agreeably to the Order of the Day, the Bill for granting aid to the Grantham Academy was read the third time. On the question for passing the same, the House divided, and the yeas and nays were taken as follows : Yeas 18 ; Nays 11. The question was carried in the affirmative by a majority of 7, and the Bill was signed by the Speaker. Mr. John Clark, seconded by Mr. Stephen Randal, moves that the Bill be intitled : "An Act granting a sum of money for the encouragement of the Grantham Academy," which was carried ; and Messieurs Mahlon Burwell and Solicitor-General Hagerman were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

25th January, 1832.—Agreeably to notice, (given on the 23rd of November, 1831, page 32), Mr. Mahlon Burwell, seconded by Mr. Peter Robinson, moves that he have leave to bring in a Bill to provide for the establishment and support of Common Schools in the several Townships throughout the Province, and that the order of this House be dispensed with for that purpose ; which was granted, and the Bill was read a first time, and ordered to be read a second time to-morrow.

Mr. Mahlon Burwell, seconded by Mr. Peter Robinson, moves that two hundred copies of the Bill for the establishment and support of Common Schools throughout the Province, be printed for the use of Members, which was ordered.

ADDRESS TO THE KING FOR A SHARE OF THE JESUIT ESTATES, 1832.

28th January, 1832.—Mr. Attorney-General H. J. Boulton, seconded by Mr. Allan N. Macnab, moves that it be resolved, That an humble Address be presented to His Majesty, humbly representing to His Majesty, that this House have reason to believe that His Majesty's Principal Secretary of State for the Colonies has communicated His Majesty's commands to the Governor in Chief for the Province of Quebec, that the Estates of the late order of Jesuits, in the late Province of Quebec should be devoted to the purposes of Education, but that His Excellency, Sir John Colborne, K.C.B., His Majesty's Lieutenant-Governor of this Province, has informed His Majesty's faithful Commons during their present Session, that, although certain sums have heretofore, from time to time, been paid out of the funds of these Estates by order of His Majesty, and His Royal Predecessor, George the Third, to the Receiver-General of this Province for the purposes of Education therein, he is not aware of the intention of His Majesty with respect to the future disposition thereof, and, therefore, humbly implore His Majesty graciously to consider the acknowledged and undoubted claim of His Majesty's faithful subjects in this Province to a participation in the Revenues arising from these Estates, as having originally been appropriated for the purposes of Education of the inhabitants of both the Canadas, while they constituted the Province of Quebec, and that in the future disposition of the funds arising either from the sale or leasing these Estates, His Majesty's subjects in this Province may be admitted to a full participation therein, which was ordered.

Mr. Attorney-General H. J. Boulton, seconded by Mr. Asa Werden, moves that Messieurs John Willson and William Elliott be a Committee to draft an Address in pursuance of the foregoing Resolution, which was ordered.

Mr. William Elliott from the Select Committee to draft an Address to His Majesty, on the subject of the Jesuit Estates, presented a draft which was received and read twice, concurred in and ordered to be engrossed and read a third time this day.

On the 8th of December, 1831, Mr. Solicitor-General, C. A. Hagerman, gave notice of a motion for an Address to the Lieutenant-Governor, asking for information in regard to the claims of Upper Canada to a share in the Jesuit Estates for the purposes of Education. On the 26th of December the Address was agreed to. On the 28th of January, 1832, the Address was presented to the Lieutenant-Governor. His Excellency replied to this Address, and his reply was to the effect that the Address would be forwarded to the King; (see pages 37, 41, 51 and 64). On the 28th of January, 1832, (as above,) the following proceedings of the House of Assembly took place on the subject:

Agreeably to the Order of the Day, the Address to His Majesty, on the subject of the Jesuits' Estates was read the third time and passed as follows:

To the King's Most Excellent Majesty:

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's dutiful and loyal subjects the Commons of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to represent to Your Majesty, that they have reason to believe that Your Majesty's Principal Secretary of State for Your Majesty's Colonies, has communicated Your Majesty's commands to Your Majesty's Governor in Chief for the Province of Lower Canada, that the Estates of the late order of Jesuites, in the late Province of Quebec, should be devoted to the purposes of Education, but that His Excellency Sir John Colborne, K.C.B., Your Majesty's Lieutenant-Governor of this Province, has informed Your Majesty's faithful Commons during their present Session, that although certain sums have heretofore, from time to time, been paid out of the funds of the Estates, by order of Your Majesty and Your Royal Predecessor, to the Receiver-General of this Province, for the purposes of Education therein, He is not aware of the intention of Your Majesty with respect to the future disposition thereof.

Wherefore, Your Majesty's most faithful Commons humbly implore Your Majesty, graciously to consider the acknowledged and undoubted claim of Your Majesty's faithful subjects in

this Province, to a participation in the Revenues arising from the Estates, as having originally been appropriated for the purposes of Education of the inhabitants of both the Canadas, while they constituted the Province of Quebec, and that in the future disposition of the funds arising either from the sale or leasing of these Estates, Your Majesty's subjects in this Province may be admitted to a full participation therein.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
28th day of January, 1832.

Mr. Attorney-General H. J. Boulton, seconded by Mr. Asa Werden, moves that an Address be presented to His Excellency the Lieutenant-Governor, informing His Excellency that this House have passed an Address to His Majesty on the subject of the Jesuits' Estates, which they humbly request His Excellency to be pleased to transmit to His Majesty's Secretary of State for the Colonies, to be by him laid at the foot of the Throne, and that Messieurs MacNab and Elliott be a Committee to draft the same, which was ordered.

Mr. William Elliott, from the Select Committee to draft an Address to His Excellency the Lieutenant-Governor, (page 41,) requesting His Excellency to transmit the Address to His Majesty, in regard to the Jesuit Estates, was read a third time and passed as follows :

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to inform Your Excellency that we have passed an Address to His Majesty on the subject of the Jesuits' Estates and humbly request Your Excellency to be pleased to remit the same to His Majesty's Principal Secretary of State for the Colonies, that the same may by him be laid at the foot of the Throne.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
28th day of January, 1832.

Mr. Attorney-General H. J. Boulton, seconded by Mr. James H. Samson, moves that Messieurs Allan N. Macnab and William Elliott be a Committee to wait upon His Excellency to know when His Excellency will be pleased to receive this House with the Address to His Majesty on the subject of the Jesuits' Estates.

Mr. Macnab, from the Committee to wait on His Excellency the Lieutenant-Governor, to know when His Excellency would be pleased to receive this House with its Address, requesting His Excellency to transmit the Address to His Majesty, reported that His Excellency had been pleased to name the hour of 3 p.m. this day.

At three o'clock p.m. the House waited on His Excellency with its Address, requesting His Excellency to transmit the Address to His Majesty on the subject of the Jesuits' Estates, to His Majesty's Principal Secretary of State for the Colonies, to be by him laid at the foot of the Throne, and being returned, the Speaker reported that His Excellency had been pleased to make thereto the following answer :

GENTLEMEN OF THE HOUSE OF ASSEMBLY :

I will take an early opportunity of forwarding to His Majesty's Secretary of State for the Colonies this Address [relating to the Jesuit Estates,] to the King.

GOVERNMENT HOUSE,
YORK, 28th January, 1832.

J. C.

2. EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL 1831-32.

On the 17th of November, 1831, His Excellency, Sir John Colborne, opened the Second Session of the Eleventh Parliament of Upper Canada with the customary Speech from the Throne. In it he said :

Your exertions and local experience in considering this subject (Emigration), the measures proposed to guide the future periodical emigrations and the aid intended to be granted by His Majesty's Government for the encouragement of District and Township Schools and the advancement of the purposes of Education will gradually prepare the Colony for the reception of the agricultural classes leaving the parent state.

On the 23rd of November, the usual response to this Speech of the Lieutenant-Governor was presented to His Excellency. It was an echo of his own words.

8th December, 1831.—Several Messages from His Excellency the Lieutenant-Governor were delivered by Mr. Acting Secretary McMahon, who having retired, the one relating to School Returns was read by the Speaker as follows :

J. COLBORNE :

The Lieutenant-Governor transmits to the Legislative Council copies of such Reports respecting District (Grammar) and Common Schools, [in the Eastern, Bathurst, Ottawa, Midland, Gore and Niagara Districts,] as have been received since the last Session of the Provincial Legislature.

GOVERNMENT HOUSE,
YORK, 8th December, 1831.

J. C.

12th December, 1831.—The Honourable William Dickson brought up the Petition of Mr. Richard Broune and others, inhabitants and freeholders of the District of London, which was laid on the Table.

13th December, 1831.—The Honourable John Clark brought up the Petition of the Reverend Francis Evans and others, inhabitants of the County of Norfolk, which was laid on the Table.

14th December, 1831.—Pursuant to the Order of the Day, the above Petition of Mr. Richard Broune and others, praying for a repeal of the law which requires that the District School shall be kept at Vittoria and enacting that the same shall be holden in the Town of London, was read.

16th December, 1831.—On motion made and seconded, it was ordered, that the Petition of the Reverend Francis Evans and others, inhabitants of the County of Norfolk, praying that the London District School may not be removed from Vittoria, be referred to the Select Committee on the Petition of Mr. Jacob Langs, junior, praying for an Act to divide the County, etc.

19th December, 1831.—A deputation from the Commons House of Assembly brought up a Bill intituled : "An Act to repeal so much of an Act passed in the fifty-ninth year of His late Majesty, King George the Third (1819), intituled : 'An Act to repeal part of and amend the laws now in force for establishing Public (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same,' as relates to the opening and keeping the District (Grammar) School for the London District at the Town of Vittoria, and to authorize the holding of the said District School at the Town of London, in the said District" to which they requested the concurrence of this House and withdrew. The said Bill was then read a first time, and it was ordered, that the same be read a second time on Monday next.

26th December, 1831.—Pursuant to the Order of the Day, the Bill intituled : "An Act to repeal so much of an Act passed in the fifty-ninth year of the reign of His late Majesty, King George the Third (1819), intituled : 'An Act to repeal part of and amend the laws now in force for establishing Public (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same,' as relates to the opening and keeping the District School for the District of London at the Town of Vittoria, and to authorize the holding of the said District School at the Town of London, in the said District," was read a second time and it was ordered that the same be referred to the Select Committee on the Petition of Mr. Jacob Langs, junior, and others, praying for a division of the County.

EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL, CONTINUED IN 1832.

3rd January, 1832.—The Honourable John Clark, from the Select Committee to whom was referred the Petition of the Reverend Francis Evans and others, inhabitants of the District of Norfolk, praying that the London District (Grammar) School may not be removed from Vittoria ; and also the Bill sent down from the Commons House of Assembly, intituled : "An Act to repeal so much of an Act passed in the fifty-ninth year of the reign of His late Majesty, King George the Third, (1819), intituled : 'An Act to repeal part of and amend the laws now in force for establishing Public (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same,' as relates to the opening and keeping the District (Grammar) School for the District of London at the Town of Vittoria, and to authorize the holding of the said District (Grammar) School at the Town of London, in the said District," presented their Report. Ordered, That the Report be received and the same was then read as follows :

To the Honourable the Legislative Council :

The Committee to whom was referred the Bill intituled : "An Act to repeal part of and amend the laws now in force for establishing Public (Grammar) Schools, in the several Districts in this Province and to extend the provisions of the same," as relates to the opening and keeping the District (Grammar) School for the London District, at the Town of Vittoria, and to authorize the holding of the said School at the Town of London, in the said District, most respectfully report :

That your Committee, upon examining into the merits of the Bill for the removal of the District (Grammar) School in the District of London, they cannot, at present, recommend its

removal ; the density of the population, and the easy access, by good roads, to where the School is now placed, appearing to your Committee to render the School of much more general use to the District than if removed. All of which is respectfully submitted.

LEGISLATIVE COUNCIL CHAMBER,
January 3rd, 1832.

JOHN CLARK,
Chairman.

5th January, 1832.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole on the Bill intituled : “An Act to repeal so much of an Act passed in the fifty-ninth year of the reign of His late Majesty, King George the Third (1819), intituled : ‘An Act to repeal part of and amend the laws now in force for establishing Public (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same,’” as relates to the opening and keeping the District (Grammar) School for the London District, at the Town of Vittoria, and to authorize the holding of the said District (Grammar) School at the Town of London, in the said District, as also the Report of the Select Committee on same. The Honourable William Allan took the chair. After some time the House resumed. The Chairman reported that the Committee had taken the said Bill and Report into consideration, had made some progress therein, and asked leave to sit again on Wednesday. Ordered, That the report be received, and leave granted accordingly.

11th January, 1832.—Pursuant to the Order of the Day, the House was again put into a Committee of the Whole on the Bill intituled : “An Act to repeal part of and amend the laws now in force for establishing Public Schools in the several Districts of this Province, and to extend the provisions of the same,” as relates to the opening and keeping the District (Grammar) School for the London District at the Town of Vittoria, and to authorize the holding the said District (Grammar) School at the Town of London, in the said District, as also the Report of the Select Committee thereon. The Honourable George Crookshank took the chair. After some time, the House resumed. The Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein and asked leave to sit again this day three months on same. Ordered, That the Report be received and leave granted accordingly.

NOTE.—By this act of the Council the Bill was lost.

12th January, 1832.—The Honourable Joseph Wells brought up the Petition of Mr. George B. Spencer, of Cobourg, in the County of Newcastle, which was laid on the Table.

17th January, 1832.—Pursuant to the Order of the Day, the Petition of Mr. George B. Spencer, of Cobourg, in the District of Newcastle, praying for an Act authorizing the Petitioner, being a minor, to convey a certain piece of ground in trust for the use of the Upper Canada Academy about to be instituted at Cobourg aforesaid, was read.

NOTE.—No action appears to have been taken by the Council on this Petition.

23rd January, 1832.—A deputation from the Commons House of Assembly brought up a Bill intituled : “An Act granting a sum of money for the encouragement of the Grantham Academy,” to which they requested the concurrence of the House. The Bill was read the first time, and it was ordered that the 44th Rule of the House be dispensed with as regards this Bill, and that the same be read a second time this day.

Pursuant to Order, the Bill intituled : “An Act granting a sum of money for the encouragement of Grantham Academy,” was read a second time, and it was ordered that the House be put into a Committee of the Whole to morrow, to take the same into consideration.

24th January, 1832.—Pursuant to the Order of the Day, the House was again put into a Committee of the Whole on the Bill intituled : “An Act granting a sum of money for the encouragement of Grantham Academy.” The Honourable George H. Markland took the chair. After some time, the House resumed. The Chairman reported that the Committee had taken the said Bill into consideration and had risen.

NOTE.—By this proceeding of the Legislative Council, the Bill was dropped, and the House took no further action in regard to it during the Session.

On the 28th of January, 1832, His Excellency the Lieutenant-Governor prorogued the Legislature with the usual Speech from the Throne, after that he had assented to several Bills in His Majesty's name. In his closing speech, he made no reference to educational matters.

LAYING THE CORNER STONE OF UPPER CANADA ACADEMY, COBOURG, 1832.

Notwithstanding the many discouragements experienced by the promoters of the Upper Canada, (or Methodist Seminary,) at Cobourg, yet the Corner Stone of that Institution was successfully laid on the 7th of June, 1832. The *Christian Guardian* of the 10th of that month contained the following reference to the event:

The enlightened friends of general education will peruse with pleasure the account given in another column of the laying of the foundation stone of the Upper Canada Academy. In its local situation ; the principle it is established ; the contemplated object of its establishment ; the regulations under which it will be placed ; the facilities and protection it will secure to the education and morals of youth, and the exertion which are making, and will continue to be made, to render it in as high a degree as possible subservient to the best interests of the rising generation, give, in our opinion, the Upper Canada Academy, strong claims to the confidence, good will and patronage of the public. It is a strong confidence in the good feeling and enterprise of the public, that has emboldened the Methodist Conference to undertake the establishment of such an institution, and upon the public, under the Divine blessing, they rely for the requisite means to secure its completion and future usefulness.

The following is the detailed account of the ceremony of laying the corner stone, copied by the Editor of the *Christian Guardian*, then the Rev. James (afterwards Bishop) Richardson,* from *The Reformer*, a local paper, then published at Cobourg.

The foundation stone of the Upper Canada Academy was laid on Thursday last by Doctor John Gilchrist, accompanied by the Building Committee of which he is Chairman. We witnessed the ceremony with unmingled delight, regarding it as the commencement of an undertaking which promises incalculable advantages to the rising generation and reflects the highest honour on the Province, the District of Northumberland and the Methodist Episcopal Church generally. A leaden box was imbedded in the under part of the stone, in which were deposited several coins of this realm, the first number of *The Reformer* ; Number 28 of the 3rd Volume of the *Christian Guardian*, Number 6 of the 2nd Volume of *The Watchman*, (Kingston) a number of *The Star*, Cobourg ; a Report of the York Bible Society, a Report of the Missionary Society of the Methodist Episcopal Church, and lastly the following Memorial :

THE UPPER CANADA ACADEMY

By the favour of

Almighty God,

On the 7th day of June, A.D. 1832, and in the

Second Year of the reign of

Our Most Gracious Majesty,

King William the Fourth,

THE CORNER STONE

Of this Edifice, erected by the Conference of the

Methodist Episcopal Church in Canada,

Was laid by the

Committee and Builder.

Major-General Sir John Colborne, K.C.B.,
Lieutenant-Governor of Upper Canada.

Building Committee :

Messieurs Ebenezer Perry,

John McCarty,

John Gilchrist, M.D.,

Edward Crane, Architect and Builder.

Messieurs L. S. Church,

J. W. Cleghorn,

Wilson S. Conger.†

* The Reverend James (afterwards Bishop) Richardson, D.D., was for many years a prominent public man and a Minister. In 1833 and 1834 he was elected Editor of the *Christian Guardian*. In the war of 1812 he lost an arm in a naval encounter at Oswego. After the war he received a pension of \$500 a year. For many years he was Agent of the Upper Canada Bible Society, and subsequently he became Bishop of the Methodist Episcopal Church in Canada.

† Mr. Conger settled in Cobourg about 1829, where he became prominent as a public man ; in 1837 he partly equipped a company of militia, and took part in frontier service in putting down the Rebellion of 1837-8. In 1842, he was appointed Sheriff of the County of Peterborough, which he resigned in 1856, when he successfully contested that County, and was elected to the House of Assembly. He was re-elected by acclamation in 1863. He died in 1864. He was an ardent promoter of the Trent Canal as a means of settling the country in the north of the Counties of Peterborough and Victoria.

We know not which to admire the most, the site selected for the building, the model of the edifice, or the just and liberal principles on which the Institution is grounded.

The work is already in a considerable state of forwardness, the basement storey will be complete in a few days, stones handsomely cut as far as the plinth are ready for laying, and 40,000 bricks of large dimensions will be ready in a fortnight. The building will occupy a front of one hundred and thirty feet, with two wings of fifty feet each, covered with cement and painted marble; the whole surmounted with a tower at once elegant and appropriate. Windows, doors and the roof for the wings are all complete, and there is no doubt but the building will be finished in two years from its commencement.

We despair of doing justice to the taste and judgment of the Committee appointed to select a suitable location for the Institution. It stands on a gently rising hill, one quarter of a mile from our beautiful village, commanding an extensive and enchanting prospect of the country east and west, beautifully studded with fine buildings standing on a rich and open country, which undulates in every direction; in front, it commands a view of Lake Ontario, from which it can never be excluded; the land is dry and the situation peculiarly salubrious. When complete, Cobourg may fairly boast the finest piece of public architecture in the Province. The inhabitants of the Province will have the strongest inducements to place their children in an Institution which for fineness of air and healthiness of station has not an equal in Canada,—where, we doubt not, they will derive all the solid advantages of an useful and valuable education.

We conclude with one passing observation in reference to the contractors and workmen: they are to a man British born subjects, and to this day not one glass of ardent spirits has been allowed, or will be permitted to be used from the beginning to the close of the building of the Academy.

The Reverend Doctor Anson Green, in his "Life and Times," thus refers to the laying of the Corner Stone of the Academy:

The Corner Stone of the Upper Canada Academy was laid on the 7th of June, 1832, by Dr. Gilchrist, of Colborne; and the Treasurer, Ebenezer Perry, Esquire, came to the Conference feeling very much discouraged for want of funds. The Conference authorized me to ask each Minister for five dollars, or more,—not so much to raise a fund as to give the Treasurer confidence that we were in earnest, and resolved to push the enterprise to the extent of our influence. Most of the Members of the Conference contributed cheerfully. . . . The Treasurer went home pleased, reported our work to Mr. Crane, the Builder, and the work was carried on with increased vigour. (Page 160).

As another means of aiding the infant Institution, the Conference at its session in 1831,

Resolved, That the Members of Conference should apply all fees which they may receive for the celebration of matrimony for the four years ensuing, to the erection of Upper Canada Academy.‡—*Christian Guardian*: October 8th, 1831.

‡ This act of the Conference is somewhat like that of the Common Court of Massachusetts, which on the founding of Harvard University, devoted the rent of a Ferry to its support.

CHAPTER V.

EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE, 1832, 1833.

On the 31st of October, 1832, His Excellency, Sir John Colborne, opened the third Session of the Eleventh Parliament of Upper Canada with the usual Speech from the Throne. In it he said :

His Majesty, having acceded to a request of the House of Assembly, in respect to the appropriation of the sums arising from the sale of land formerly set apart for the support of Grammar Schools, and not alienated by the authority of His Majesty's Government ; the accounts of the Board, under whose control the School Reserves have been hitherto placed, will be delivered over to the King's Receiver-General at the close of the year.

In this instance of consideration of the King, in complying with the prayer of the Address of the House of Assembly, [adopted by the House of Assembly on the 23rd of December, 1831, page 40], you will perceive the solicitude of His Majesty to promote the wishes of the Province.

It will be for you to decide upon the practical mode of applying to the intended object, the School Funds ; and whether it may not be more desirable to appoint a Commission to carry into effect the measures of the Legislature, in regard to the distribution of the proceeds of these lands, than to dispose of them by annual vote.

Whatever course you may deem it expedient to pursue, it will be gratifying to me to concur in such enactment as may appear best calculated to secure the interest of the people.

CHARACTER OF THE EDUCATIONAL LEGISLATION IN 1831-1833.

The Sessions of the Legislature in 1831, 1832 and 1833 were exceedingly fruitful in motions, resolutions, reports and drafts of Bills, for the promotion, in various ways, of Education in Upper Canada. These proceedings took a variety of forms in the House of Assembly. The most important of these efforts made by that House were :

First.—To institute a thorough enquiry into the cause of failure of successive Governments to give effect to the generous intentions of the Imperial Government to provide by its Municipal Grant of lands in 1797 for the establishment of "Free Grammar Schools" in the Districts requiring them, and afterwards of "Seminaries of a larger and more comprehensive nature." This enquiry was effectively promoted by Sir John Colborne, the Lieutenant-Governor ; and the result was that an exhaustive Report on the subject was prepared by the Executive Council of that day. (See page 44.)

Second.—The other effort put forth by the House of Assembly was in favour of a large grant to be made by the Imperial Government of a million of acres of land for the endowment of Common Schools in the various Townships of the Province. (See pages 50 and 111.)

Third.—The third subject which had constantly engaged the attention of the House of Assembly was the modification of the King's College Charter of

1827. That, and seeking to find out how best to avoid the expense of building a University, was debated at length. An impracticable plan was agreed to by the House in 1830, (by which Upper Canada College was constituted a University,) and this scheme was strongly endorsed by the same House in 1832. The Bill making that arrangement, was, however, on its unanimous passage by the House of Assembly in 1830, vetoed, without hesitation, by the Legislative Council, as impracticable, and as an evident evasion of the intention of the Royal Donor of the King's domain, in 1797, in providing, for the establishment of Free Grammar Schools in the various Districts, and a University, as then understood; and not a mere preparatory High School, or Primary College, as Upper Canada College was intended to be by Sir John Colborne, and what it actually was,—and as he had so explained it to be, on its first establishment in 1829. (See pages 77 and 97.)

Fourth.—A further subject which engaged the attention of the House of Assembly was the right of Upper Canada to a continued share in the proceeds of the Jesuit Estates of Lower Canada. The reasons for this claim are set forth in the Resolutions of the House of Assembly on the subject, and by the Address to the King, and to the Lieutenant-Governor, founded on them. (See page 63.)

Various interesting discussions evidently took place on all of these subjects, if one may judge from the variety and comprehensive character of the Resolutions passed, the Reports made to the House, and the Addresses to the King and to the Lieutenant-Governor, which were adopted by the House of Assembly during the years 1831, 1832 and 1833.

In one of these Reports the deplorable state of the Schools, and the disreputable character of many of the peripetetic Teachers employed are pointed out in particularly strong language. There were several reasons why this was so. Among them was the fact that "cheap teachers," who would take the lowest salary and "board" round, was about the only ideal which managers of Schools, as a rule, had in their minds. Then, there was no training of teachers, and no legal standard of qualification prescribed, by which the fitness, or otherwise, of applicants could be determined. Those who employed Teachers could give them the necessary certificate, by which they could "draw" the Government stipend. Such Teachers were generally "birds of passage," always on the lookout for "better terms" and "better fare,"—especially as they could only be engaged for part of a year, owing to the smallness of the moiety of the Government grant coming to the Schools, and they had also to "board round." (See pages 37 and 50.)

In another of the Reports, the question of free, or gratuitous, education, as compared with a system of Schools supported by taxation, is freely discussed, and the opinions and testimony of the noted Reverend Doctor Chalmers are invoked, and are quoted at some length. (See Report of the Select Committee, 5th December, 1833.

In the Legislative Council very little educational legislation took place during the years under review.

31st October, 1832.—The Legislature was opened by a speech from the Lieutenant-Governor. Mr. Mahlon Burwell gives notice that he will, on Monday next, move for leave to bring in a Bill for the Establishment, Maintenance and Regulation of Schools throughout this Province.

Mr. Mahlon Burwell gives notice that he will, on Monday next, move for the appointment of a Committee of five Members, on the subject of Education, in this Province ; to examine and report upon the grant of School Lands made to this Province by His Majesty's Government, in the year one thousand seven hundred and ninety-seven, to inquire into all expenditures and appropriations that may have been made from the proceeds of that grant ; and whether the several District (Grammar) Schools have been established and sustained according to the original intentions of His Majesty's Government ; with power to send for persons and papers.

7th November, 1832.—The following are extracts from the Address in answer to His Excellency's Speech at the opening of the present Session :

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.:

It is with sentiments of the most lively gratitude that we perceive the solicitude of our Most Gracious Sovereign to promote the wishes of the Province, in acceding to the request of his faithful Commons, relative to the appropriation of the lands formerly set apart for the support of Grammar Schools ; and we fully concur with Your Excellency in the propriety of the accounts of the funds arising therefrom being placed in the hands of the King's Receiver-General, who is the proper depository of all public moneys.

The practical mode of applying the School Funds to the intended object is a matter of deep importance ; and we are aware of the solicitude with which the public will view our deliberations upon a matter in which their dearest interests are so essentially concerned ; and it is gratifying to us to receive the assurance of Your Excellency's concurrence in such enactments as may appear best calculated to secure the interests of the people.

COMMONS HOUSE OF ASSEMBLY,
7th November, 1832.

ARCHIBALD McLEAN,
Speaker.

Mr. John Clark brought up the Petition of Mr. Chauncey Beadle and four others, Trustees to the Grantham Academy ; and the Attorney General, Mr. H. J. Boulton, brought up the Petition of the York Literary and Philosophical Society, both of which were laid on the Table.

Mr. Mahlon Burwell gives notice that he will, on Monday next, move this House to address His Majesty for a grant of One Million of Acres of the waste land of the Crown in this Province, for the support of Common Schools within the same.

Agreeably to notice, Mr. Mahlon Burwell, seconded by Mr. Rowsell Mount, moves that he have leave to bring in a Bill for the Establishment, Maintenance and Regulation of Common Schools within this Province, which was granted, and the Bill was read a first time, and ordered for a second reading to-morrow.

Mr. William Morris, seconded by Mr. Mathew M. Howard, moves that one hundred copies of this Common School Bill be printed for the use of the Members, which was ordered.

Agreeably to notice, Mr. Mahlon Burwell, seconded by Mr. William Wilson, moves that a Committee be appointed on the subject of Education in this Province, to examine and report upon the grant of School Lands made to this Province by His Majesty's Government, in the year one thousand seven hundred and ninety-seven, to inquire into all the expenditures and appropriations that may have been made from the proceeds of that grant, and whether the several District (Grammar) Schools have been established and sustained according to the original intentions of His Majesty's Government ; with power to send for persons and papers ; and that Messieurs John Willson, Hamnett Pinhey, George S. Boulton and Asa Werden, do constitute the said Committee, which was ordered.

8th November, 1832.—Mr. William Morris gives notice that he will, to-morrow, move for an Address to His Excellency the Lieutenant-Governor, requesting His Excellency to inform the House what quantity of the School Lands Reservation has been sold, what quantity is now remaining at the disposition of the Legislature, showing in what Districts and Townships the same are situated.

9th November, 1832.—Agreeably to the Order of the Day, the following Petition was read : Of Mr. Chauncey Beadle and four others, Trustees to the Grantham Academy, praying for a grant of £250 per annum, for support of said Academy.

Mr. John Clark, seconded by Mr. John Willson, moves that the Petition of the Trustees of the Grantham Academy be referred to a Select Committee, to be composed of Messieurs William H. Merritt and Charles Duncombe, and that they report by Bill, or otherwise.

Agreeably to the Order of the Day, the Bill for the Establishment, Maintenance and Regulation of Common Schools in this Province, introduced by Mr. Mahlon Burwell, on the 7th of November, 1832, was read the second time, and referred to a Committee of the Whole House. Mr. John Clark was called to the chair.

The House having resumed, Mr. Clark reported progress, and obtained leave to sit again to-morrow.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant-Governor several Messages and Documents, and having retired, the Speaker read the following Messages :

J. COLBORNE :

The Lieutenant-Governor transmits to the House of Assembly a copy of a Despatch, which he has received from His Majesty's Secretary of State for the Colonies, respecting the Address of the House to the King last Session, on the subject of the Clergy Reserves, praying that the proceeds of their sale may be applied to the advancement of the purposes of Education.

GOVERNMENT HOUSE,

YORK, 9th November, 1832.

J. C.

J. COLBORNE :

The Lieutenant-Governor transmits to the House of Assembly a copy of a Despatch from His Majesty's Secretary of State for the Colonies, on the subject of the Address of the House to the King respecting the proceeds of the sales of land set apart for the support of Schools.

GOVERNMENT HOUSE,

YORK, 9th November, 1832.

J. C.

The Documents were read by the Clerk as follows :

I have the honour to acknowledge the receipt of your Despatch of the 11th February last, enclosing an Address from the Commons of Upper Canada, praying that the Clergy Reserves may be sold, and the proceeds arising from the sale of them be placed under the direction of the Legislature, to be applied to the advancement of the purposes of Education. [Page 37.]

As it appears from the date of the Address, that it was agreed to by the House, previous to the receipt of my Despatch of the 21st November last, directing the Message to be transmitted to the House of Assembly, respecting the Clergy Reserves, which was communicated last Session, on the subject of the Clergy Reserves, I trust that the instructions therein conveyed to you will be considered as a sufficient reply to the present Address.

DOWNING STREET,

1st of June, 1832.

GODERICH.

I have had the honour of receiving and laying before His Majesty, your Despatch of the 13th February last, enclosing an Address from the Assembly of Upper Canada, praying that "the School Lands within the Province may be applied 'to the purposes for which they were originally intended,' " and further representing that "it would be much more satisfactory to the people of the Province if the moneys arising from the School Lands were paid into the hands of the Receiver-General, and the Fund placed at the disposal of the Legislature."

I have received His Majesty's commands to direct you to inform the Assembly, at their next meeting, that he has been graciously pleased to accede to their request, and that the sums arising from the sale of that portion of the School Lands which has not already been alienated, will be paid into the hands of the Receiver-General, to be applied in the promotion of Education in such manner as the Legislature may direct. [Page 40.]

DOWNING STREET,

5th July, 1832.

GODERICH.

DEBATE ON MR. MAHLON BURWELL'S COMMON SCHOOL BILL OF 1832.

As so little is known of the personal opinions of Members of the House of Assembly, on Common School matters, in 1832, that I insert in this place the following report of a short debate on this Bill of Mr. Mahlon Burwell, which was read a first time on the 7th of November, 1832, and which was ordered for a second reading on the 9th of that month. The Speakers on this occasion were Messieurs Mahlon Burwell, William Morris, John Willson, (Ex-Speaker), Peter Perry,

Charles Duncombe and Christopher A. Hagerman, (Solicitor-General). The report was made at the time by Mr. Samuel S. Junkin, of the *Christian Guardian* newspaper.*

9th November, 1832.—The House having gone into Committee on the second reading of Mr. Mahlon Burwell's School Bill, Mr. Burwell rose and said the Bill which had just been read had cost him a good deal of thought and reflection in preparing, as he considered the education of the people of any country an object of the first importance; and the principle of this Bill should be fully considered and examined.

Education was a subject which involved no party interests and he hoped every honourable member would give it that attention which it deserved. The Bill was framed nearly on the principles of the School Laws in the State of New York and some of the Eastern States, where Education was better supported than in any other part of the world. (Mr. B. then went into a comparison of the state of Education in the different countries of Europe and America.)

Mr. William Morris would oppose the Bill at its present stage, as the first clause repealed the present law, which was the best on the Statute Book. The present law, as it now stood, was as good a one as they could make, if it had a few alterations. All it wanted was a larger sum of money for the support of Schools. If the Teacher's salary was increased to £50, and the number of Schools limited, it would be much for the benefit of the people.

Mr. JOHN WILSON said it was reluctantly that he opposed the honourable Member who had just sat down, as he knew him to be a tried friend and supporter of Education. There was a deficiency of compulsory power in the present School Law to enable the majority to rule the minority, and, if this was not done, Schools would be divided and opposing school houses built in sight of each other, as was the case in his own neighbourhood; and to his knowledge many Schools were ruined in this way, and it would always be so for want of some compulsory measure of the kind before the Committee—this Bill provides for this. It also compels all to contribute—the rich for the benefit of the poor—this was as it ought to be; they should be obliged to contribute for the education of the poor. He had not had time to examine the Bill as well as he could wish, but he would examine it carefully and hoped every member would do the same. The poor should have such an education as would enable them to rival the rich. He was afraid of that distinction between rich and poor ever taking place in this Province, that had been the ruin of other countries, where the rich often took the advantage of the poor, and the educated of the uneducated. Liberty was on the march, and Education should keep pace with liberty, or we would have anarchy and confusion. But when the people generally were educated, when every man understood his political and civil rights, then we would be a happy country. They had had a most important communication on the subject of Education, since they had been in Committee, and it would be worth handing down to future generations the name of the worthy Chairman on that occasion. (Cheers. Mr. John Clark bowed.) It opened a grand prospect to Upper Canada, with our other resources there was nothing wanting but a proper appropriation of them, to raise this Province in the scale of Education equal to that of any other country on earth. It might, perhaps, be found proper to authorize His Excellency to appoint a Commissioner for that purpose. There were some people who would not send their children to School from a mistaken notion of the expense; but, if they were compelled to contribute to the support of the School, whether they sent their children or not, they would then send them—this was the grand principle of the Bill.† If the details of it were not liked, when they came to be examined, any honourable Member could move amendments; but let them not lose sight of the grand principle. The reason why those of a good education did not like to return to the common affairs and drudgery of life, was because their number was so small they looked on themselves as beings superior to the rest of their fellowmen; but, when every man was educated, when every man was a scholar, every man a philosopher, or a politician, when every man understood his civil and political rights, the distinction between rich and poor ceased, and such a country would be a happy one.

Mr. PETER PERRY said the honourable Member for Wentworth (Willson) was afraid if they did not pursue the measure, it would be lost altogether; but the Committee could rise, report

* Mr. Junkin was for many years connected with the *Christian Guardian*, as manager, accountant and reporter. He was a trusted friend of its first Editor, the Reverend Egerton Ryerson, and of his successors, and was also confidential clerk in the Book Room and Conference Office. He was well known for many years to the Editor of this Documentary History as a painstaking, trustworthy and excellent officer. He died recently at his home in St. Catharines at a ripe old age, and was greatly respected.

† This principle of making the ratable property of the country responsible for the support of Schools, here advocated, was not acceptable to Mr. William Morris, or to many others at that time. Nor was that principle acceptable for many years afterwards. Its advocates, although in a minority in these years, were quite in advance of their times. This very provision in the Bill helped to defeat it.

progress and ask leave to sit again. He did not wish to say much on the subject, as he understood it was to be submitted to the Committee of Supply. He wished to know how the honourable Member was going to proceed with the Bill.

Mr. BURWELL explained that, when the Committee of Supply would sit, those clauses that were objected to should be submitted to them.

Dr. CHARLES DUNCOMBE thought they should consider whether it was proper to rise without reporting progress, as that would lose the Bill. He did not mean to pledge himself to the measure.

Mr. PERRY was in favour of adopting the preamble and reporting progress, and he hoped the honourable Mover of the Bill would see the propriety of submitting the whole Bill to the Committee of Supply, which was the only parliamentary way.

Mr. MORRIS thought it was better to support Schools out of the public chest than to tax the people; and if they were liberally endowed, as he would wish, there would be no necessity of taxing to support them.

Solicitor-General HAGERMAN said their present means should induce them to consider well what system they would adopt, and whether the present Bill was a proper one. He thought the School Laws might be altered for the better. He did not wish to say any more on the subject at present. The preamble was adopted and the Committee rose and reported progress.

12th November, 1832.—Mr. Mahlon Burwell gave notice that he will, on to-morrow, move that an Address be presented to His Excellency the Lieutenant-Governor, requesting that His Excellency will be pleased to inform this House if any answer has been received to the Address of the House of Assembly to His Majesty during last Session, on the subject of King's College, (adopted on the 28th of December, 1831) or any communication respecting that Institution; and whether any proceedings have been had in regard to modifying the Charter of the University of King's College.

Mr. Mahlon Burwell gives notice that he will, on Tuesday sen'night, move for leave to bring in a Bill to alter and amend the Charter of the University of King's College.

Mr. Mahlon Burwell gives notice that he will, on Tuesday sen'night, move for leave to bring in a Bill to provide for the application of the funds raised, and to be raised, from sales of the School Lands, in the endowment and support of (Free) Grammar Schools in the several Districts of this Province.

Mr. Mahlon Burwell gives notice that he will, on to-morrow, move for the appointment of a Committee to request a conference with the Honourable the Legislative Council, on the subject of addressing His Majesty, for a grant of one million of acres of the waste lands of the Crown, in this Province, for the maintenance and support of Common Schools within the same.

November 13th, 1832.—Mr. John Clark, from the Select Committee to which was referred the Petition of Mr. Chauncey Beadle, and others, Trustees to the Grantham Academy, informed the House that the Committee had agreed to a Report, which he was directed to submit whenever the House would be pleased to receive the same. The Report was received and read as follows:

REPORT OF SELECT COMMITTEE ON PETITION OF MR. CHAUNCEY BEADLE, *re* GRANTHAM ACADEMY.

To the Honourable the Speaker of the Commons House of Assembly of Upper Canada:

The Select Committee, to which was referred the Petition of the Trustees of the Grantham Academy, praying for pecuniary aid in support of that establishment, beg leave respectfully to report:

That the Institution is incorporated by an Act of the Provincial Legislature, under the name and style of the Grantham Academy, and was established, and, to a certain extent, is supported, through the donations and subscriptions of private individuals; and the instruction of youth in classical, mathematical, and other useful branches of learning, is conducted in that Seminary under the superintendence of Trustees, by competent Teachers.

That, in the opinion of your Committee, the Institution is deserving of support and encouragement.

They, therefore, respectfully recommend that an Act may be passed, granting, for aid in supporting said Academy, from the public revenues of the Province, the sum of £200 annually for ten years, by which means will be ensured more ample provision for the support of the Teachers thereof, than can be obtained in the infant state of the Institution from fees paid by students and other ordinary resources. All which is respectfully submitted.

COMMONS HOUSE OF ASSEMBLY,
18th November, 1832.

JOHN CLARK,
Chairman.

14th November, 1832.—Agreeably to notice, Mr. William Morris, seconded by Mr. William Buell, junior, moves that an Address be presented to His Excellency, the Lieutenant-Governor, requesting that His Excellency may be pleased to lay before this House, a statement of the number of acres of School Lands which have been alienated, and the number remaining, and to inform this House in what Districts and Townships they are situated.

In amendment, Mr. Mahlon Burwell, seconded by Mr. William Wilson, moves that, after the word “situated,” in the original motion, the following be added: “And also a statement of the number of acres of land which have been granted by His Majesty’s Government to individuals in the School Townships of Southwold, Yarmouth, Houghton, Middleton, Westminster, and Blandford, showing also the number of acres which have been granted in each of said Townships to Surveyors, in compensation for surveying; and an account of the quantity and situation of such lands as may have been set apart by His Majesty, in lieu of the lands granted to individuals in the said Townships,” which was carried. The original question, as amended, was then put and carried.

Mr. Mahlon Burwell, seconded by Mr. William Wilson, moves that Messieurs John Willson and George S. Boulton be a Committee to draft an Address to His Excellency the Lieutenant-Governor, in pursuance of the Resolution of this House on the subject of School Lands, which was ordered.

Mr. John Willson, from the Select Committee to draft an Address to His Excellency the Lieutenant-Governor for information relative to School Lands, reported a draft, which was received, read twice, concurred in and ordered to be engrossed and read a third time to-morrow.

Mr. Mahlon Burwell, seconded by Mr. John Willson, moves that a Message be sent to the Honourable the Legislative Council, requesting that Honourable House to permit the following members of their House to appear before the Committee of the House of Assembly on Education, to be examined on that most important subject, namely: The Honourable and Venerable John Strachan, the Honourable Messieurs John B. Robinson, Joseph Wells, and George H. Markland, which was carried, and Messieurs Mahlon Burwell and Charles Duncombe were ordered by the Speaker to carry up the Message to the Council.

Mr. Charles Duncombe, seconded by Mr. John Clark, moves that the Report of the Select Committee, upon the subject of the Grantham Academy, be referred to the Committee of Supply, which was ordered.

15th November, 1832.—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, requesting information relative to the School Lands, was read a third time, passed and signed by the Speaker, and is as follows:

To His Excellency, Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty’s most dutiful and loyal subjects, the Commons House of Assembly of Upper Canada, in Provincial Parliament Assembled most humbly beg leave to request that your Excellency will be pleased to direct the proper Officer to inform this House what quantity of the School Land’s Reservation has been alienated, and what quantity is now remaining at the disposition of the Legislature, showing in what Districts and Townships the same may be situated, and to lay before this House a statement of the number of acres of land which have been granted by His Majesty’s Government to individuals in the School Townships of Southwold, Yarmouth, Houghton, Middleton, Westminster, and Blandford; showing also the number of acres which have been granted in each of the said Townships to Surveyors, in compensation for surveying, and an account of the quantity and situation of such lands as may have been set apart by His Majesty’s Government for School Reserves, in lieu of the lands granted in the said Townships.

COMMONS HOUSE OF ASSEMBLY,

ARCHIBALD McLEAN,

15th November, 1832.

Speaker.

Mr. Mahlon Burwell, seconded by Mr. Jesse Ketchum, moves that Messieurs John Willson and George S. Boulton be a Committee to wait upon His Excellency the Lieutenant-Governor, with the Address of this House, respecting School Lands, to know when he will be pleased to receive it, and to present the same, which was ordered.

16th November, 1832.—Mr. John Willson, from the Committee appointed to wait upon His Excellency the Lieutenant-Governor, with the Address of this House, for information relating to School Lands, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

I will direct the General Board of Education to furnish the information requested by you in this Address.

GOVERNMENT HOUSE,

J. C.

YORK, 16th November, 1832.

21st November, 1832.—The Speaker reported that the Master in Chancery had, yesterday, brought down from the Honourable the Legislative Council, a Message which he read as follows :

MR. SPEAKER :

The Honourable John Beverley Robinson, (Speaker of this House), the Honourable and Venerable the Archdeacon of York, and the Honourable Messieurs Joseph Wells and George H. Markland, have leave to attend the Select Committee of the Commons House of Assembly, as desired by that House, in their Message received this day, if they think fit.

JOHN B. ROBINSON,
Speaker.

LEGISLATIVE COUNCIL CHAMBER,
19th November, 1832.

Agreeably to the Order of the Day, the Petition of Mr. A. Chisholm, J. P., and seventy-nine others of the County of Glengarry, praying that the Clergy Reserves be appropriated to the promotion of Education in Common Schools ; that the moneys arising from Clergy Reserves in the County of Glengarry, since 25th January, 1832, be paid into the hands of the Receiver-General, for, and towards the redemption of the public debt, and that the interest henceforth accruing, be remitted annually to the Treasurer of the Eastern District, for the use of the Common Schools in Glengarry was read.

Mr. Mahlon Burwell, from the Select Committee on the subject of Education, informed the House that the Committee had agreed to the First Report, and the draft of a Bill, both of which he was ready to submit whenever the House would be pleased to receive the same. The Report was received and was read as follows :

FIRST REPORT OF SELECT COMMITTEE OF THE HOUSE OF ASSEMBLY ON EDUCATION, 1832.

To the Honourable the Speaker of the Commons House of Assembly :

The Committee to which was referred the subject of Education and the School Lands, in discharge of their duty, and the view of devising such means as, in their opinion, will tend to promote the general instruction of youth, and children of the Province, upon such a system as may be satisfactory to all classes of their fellow subjects in Upper Canada.

That, on entering upon the subject of their inquiry, they were forcibly struck with the uniform anxiety which has been manifested at all times by the Legislature and Provincial authorities for the establishment of a University.

It formed part of the prayer of both Houses of the Upper Canada Legislature, in their Address to the King in 1797.

It was strongly recommended by the Executive Government, the Judges and Law Officers of the Crown, in 1798.

In 1806, the Legislature, to show that something more was even then required than the District Grammar Schools, did all their limited means permitted, in providing a small apparatus for the instruction of youth in Physical Science, that they might enter the world with something more than a District Common School Education ; such an Institution was again noticed most honourably in 1820, and an earnest desire expressed by the Legislature, which knew best the wants of the Province, for its speedy establishment.*

In 1825, so many young men were found turning their attention to the learned professions, that the Executive Government thought that the establishment of a University could be no longer delayed without the greatest detriment to the Province, and, therefore, applied to His Majesty for a Royal Charter, which was granted in 1827, in terms as liberal, it is said, as the then Government would allow ; but such as proved by no means satisfactory to your Honourable House.†

Your Committee feel no disposition to inquire why the necessary modification of the Charter has not been made long ago, or why proper buildings for the University have not been erected, and the business of instruction in Literature and Science commenced, with a full understanding that the required alterations should take place ; but they cannot help lamenting the delay, since it has done irreparable injury to the youth of this Province ; many have already suffered ; many are at present suffering ; and whatever measures are taken to accelerate the establishment of a University, many will be deprived forever of the advantages which the University might have opened up to them.

* See page 56, of the First Volume of this Documentary History.

† *Ibid*, pages 205 and 211.

Feeling the absolute necessity of such an Institution, and that every day's delay inflicts on the youth of this flourishing Colony an injury which allows of no remedy, and that there is little reason to expect that His Majesty's Government will either speedily, or effectually, arrange the modification of the Charter ; your Committee recommend your Honourable House to take the matter into immediate consideration, and make such alterations in the said Charter as may be deemed fit and expedient.

In considering the necessary changes, the attention of your Committee was drawn to certain resolutions adopted by your Honourable House in 1829,* comprising such alterations in the Charter as appeared requisite for perfecting the Institution, and rendering it, perhaps, the most efficient Seminary on this Continent.

Your Committee feel great satisfaction in stating, that after mature deliberation they have come to the determination to recommend the same changes in the Charter to the adoption of your Honourable House as were made in 1829, with such slight variations as are requisite to secure certain great and permanent advantages to the Province.

Your Committee determined from the first to recommend no alteration but what appeared necessary to render the University efficient ; and to show that they were directed by principles only, and not by anything personal ; in consequence thereof they do not propose to interfere in any appointment, except that of Visitor ; nor would they have made any change in this, had it not appeared inexpedient that an office so important should be filled by one so frequently absent from the Province.

One thing your Committee thought it material to keep in view, namely that of preserving the character of the University as a Royal Institution, and the power and dignity which the Charter confers, as emanating from the King, and which can be conferred in no other way ; and they request that this may be kept in mind by your Honourable House, when considering the Bill to be herewith submitted, since any alterations that might place these advantages in jeopardy, would be purchased at a very dear rate.

Having thus stated the grounds on which your Committee have proceeded, it only remains for them to submit a Bill embodying the necessary alterations, taken chiefly from the Resolutions of 1829, and which emanated from a Committee of unquestionable ability ; premising at the same time that your Honourable House is aware, that under its present Charter, the University of King's College is open to all denominations of Christians, and that the Professors, excepting such as may be appointed Members of the College Council, may be of any Christian denomination, and that it excludes none from what may be considered the essential benefits of the Institution ; but your Committee leave the Charter, in as far as possible in its present form, and have applied themselves to the removal of the objectionable parts, by a distinct enactment, which they beg earnestly to recommend to the adoption of your Honourable House. All of which is respectfully submitted.

MAHLON BURWELL,
Chairman.

COMMITTEE ROOM, COMMONS HOUSE OF ASSEMBLY,
21st day of November, 1833.

REVISED UNIVERSITY CHARTER BILL, ACCOMPANYING THE FIRST REPORT OF THE SELECT
COMMITTEE OF THE HOUSE OF ASSEMBLY ON EDUCATION, 1832.†

Whereas His late Majesty, King George the Fourth, was graciously pleased to issue His Letters Patent, bearing date at Westminster, the fifteenth day of March, in the eighth year of His Reign, in the words following :

And whereas certain alterations appear necessary to be made in the same, in order to meet the desire and circumstances of the Colony, and that the said Charter may produce the benefits intended :

Be it therefore enacted, etc. : That for, and notwithstanding anything in the said Charter contained, after the said University shall have been organized, upon any future appointment of the office of Governor, Lieutenant-Governor, or Person Administering the Government of the Province, such Governor, Lieutenant-Governor, or Person Administering the Government, shall not be *ex-officio* Chancellor of the said University, but such persons shall be Chancellor thereof as the Convocation of the said University shall elect, and that the Judges of His Majesty's Court of King's Bench shall for, and on behalf of the King, be Visitors of the said College, in the place and stead of the Lord Bishop of the Diocese of Quebec, for the time being ; and that the President of the said University, on any future vacancy, shall be appointed by His Majesty,

* First Volume of this Documentary History, page 274.

† See addition made to this Bill by the Select Committee on page 97.

His Heirs and Successors, without requiring that he shall be the incumbent of any ecclesiastical office ; and that the Members of the College Council, including the Chancellor and President, shall be twelve in number, of whom the Speaker of the two Houses of the Legislature of the Province and His Majesty's Attorney and Solicitor-Generals for the time being, shall be four, and the remainder shall consist of the six senior Professors of Arts and Faculties of the said College ; and, in case there shall not at any time be six Professors, as aforesaid, in the said College, and until Professors shall be appointed therein, the Council shall be filled with Members to be appointed, as in the said Charter provided, except that it shall not be necessary that any Member of the College Council to be so appointed, or that any Member of the said College Council, or any Professor, to be at any time appointed, shall be a Member of the Church of England, or subscribe to any articles of Religion ; and further, that no religious test or qualification be required, or appointed, for any person admitted, or matriculated, as Scholars within said College, or of persons admitted to any degree or faculty therein.*

The Bill to amend the Charter of King's College, was read a first time, and, on the question for the second reading to-morrow, Mr. William Morris, in amendment, seconded by Mr. William Buell, junior, moves that this Bill be not read a second time to-morrow, but that it be read a second time on Friday next, and that it be referred to a Committee of the Whole House, together with the First Report of the Select Committee on Education, which was ordered.

5th December, 1832.—Agreeably to the Order of the Day, the Petition of Mr. William Philips, brought up by Mr. John Willson on the 3rd instant, praying that a law may be passed granting him a Patent to secure the Copyright of a System of Arithmetic, of which Petitioner is the Author, and that a place may be by law appointed for the registering of Literary Works, for the benefit of Authors, was read.

7th December, 1832.—Mr. Attorney-General H. J. Boulton brought up the Petition of The York Literary and Philosophical Society, which was laid on the Table.

8th December, 1832.—Agreeably to the Order of the Day, the Petition of Mr. Alexander Macdonald and ninety-nine others of Cornwall and Roxborough, in the Eastern District praying that the Clergy Reserves may be disposed of and the avails appropriated to Education, was read.

10th December, 1832.—Agreeably to the Order of the Day, the Petition of the York Literary and Philosophical Society, praying that such a sum of money as to this Honourable House may seem meet, may be granted to be applied in the appointment of persons duly qualified to investigate, thoroughly and scientifically, the Geology, Mineralogy and general Natural History of the Province, as well as to procure and report every kind of information tending to promote science, and an acquaintance with the characteristics of the country, such as the more prominent features of land and waters, and the capabilities of communication between the different parts of the same, was read.

The Honourable Henry J. Boulton, Attorney-General, seconded by Mr. Richard D. Fraser, moves that the Petition of the York Literary and Philosophical Society, be referred to the Committee of Supply, which was ordered.

14th December, 1832.—Mr. Mahlon Burwell, from the Select Committee on the subject of Education, informed the House that the Committee had agreed to a Second Report, and the draft of a Bill, both of which he was ready to present, whenever the House would be pleased to receive the same. The Report and Bill were received. The Report was read as follows :

SECOND REPORT OF THE SELECT COMMITTEE OF THE HOUSE OF ASSEMBLY ON EDUCATION, 1832.

To the Honourable the Speaker of the Commons House of Assembly :

In submitting a Second Report, your Committee beg leave to state, that they are deeply impressed with the great responsibility which rests upon them in discharging the important trust committed to their management, and have felt the many difficulties which they have had to encounter in bringing it to such a result as would be at once useful and satisfactory.

Sensible that the subject of Education is fraught with the most weighty and serious consequences to the future welfare of the Province, they have most anxiously and faithfully endeavoured so to direct their labours as to meet the just expectations which your Honourable House manifested on their appointment.

Aware that little or nothing has been done for many years to extend the means of instruction, and to meet the increasing wants of our rapidly growing population ; that our present system of District or Grammar Schools, excellent as it was at the time (1807-8), and adequate as it may have been for a Colony containing only fifty thousand inhabitants, is quite unfit, without material improvement, for a population of nearly three hundred thousand.

* An addition was made to this Bill by the Select Committee of the House of Assembly, on the 13th of December, 1832. It was appended to their Second Report on Education. See page 97.

That the situation of the Province in wealth and commerce, and in its demand for superior attainments in the various professions, is very different from what it formerly was, and that unless opportunities are immediately furnished by the establishment of superior Schools for the instruction of our youth in the higher branches of Science, we must fall behind the age in which we live.

PRACTICAL AND PATRIOTIC OBJECT OF THIS AND THE FORMER REPORT.

Your Committee, after acquiring the best information within their reach, are not without hope that the plan which they are about to recommend to the adoption of your Honourable House, taken in connection with their First Report, (page 21,) will present a system of Education which will be found to deserve the approbation of every friend of knowledge; to contain within itself the power of expansion, so as to meet the wants of our extending settlements, and to place the Province in a situation as enviable for the means of instruction as it is for the freedom of its institutions, and the fertility of its soil.

It will be seen that your Committee aspire to much more than that of satisfying the wishes of their fellow subjects of the present generation; they aspire to cherish and promote the permanent and substantial interests of the Colony, and the character and respectability of the people by whom it may be inhabited in all time to come.

OBJECT OF OBTAINING THE OPINION OF EXPERIENCED PERSONS.

With a view to the attainment of these most desirable objects, your Committee, in the first place, agreed upon a list of questions to be put to such persons as they might find it necessary to summon before them for examination; which questions, together with the various answers, will be found in the Appendix to this Report, and, in the opinion of your Committee, they will afford to the country a fund of valuable information. (See pages 82-96.)

These, with the many important documents in the Journals of your Honourable House, with such other assistance as your Committee have been able to glean from the practice of other countries, have been carefully considered, with a special view to the wants and wishes of this extensive, happy and prosperous Province, and have induced your Committee to offer the following Report as the result of their deliberations:

HISTORICAL RETROSPECT BY THE COMMITTEE.—FURTHER LAND GRANTS SUGGESTED.

It appears to your Committee from the Documents before them, that the original appropriation, in order to raise a fund for promoting Education, consisted of 549,217 acres of land; that, by a recent order from His Majesty's Government, the University of King's College has been endowed with 225,273 acres, which appears to be in accordance with the prayer of the Legislature in 1797; the residue, consisting of 323,944, or in round numbers 324,000 acres, is at the disposal of the Provincial Parliament. [See pages 102-105.]

In regard to any other deduction, for the support of Upper Canada College, your Committee entertain no doubt that, on a respectful representation to His Majesty's Government, an endowment will be granted to that Seminary, as a separate and Royal Gift, exclusive of the School Lands originally set apart for the University and District Grammar Schools.

It is indeed manifest from the spirit of the letter of His Grace the Duke of Portland, in 1797, that further grants would have been cheerfully made, had they been requested, and deemed necessary.

And surely there is no reason to doubt but that His Majesty's present Government is as willing now, as it was then, to comply with any reasonable prayer of the Legislature of this Province, for further appropriations for the Education of our now great and increasing population.

And how can the waste lands of the Crown be more usefully disposed of than in promoting public instruction, and establishing beneficial institutions?*

Your Committee, proceeding upon the reasonable assumption that 324,000 acres of land still remain at the disposal of the Legislature for the support of Grammar Schools, in the several Districts throughout the Province, are of opinion that their management, as well as the superintendence of all the District (Grammar) and Common Schools, might be usefully and conveniently placed under such a Board of Commissioners, as is recommended in His Excellency's Speech from the Throne, and in the Report of the Executive Council of the 29th April, 1831, (page 45) with this material addition: That each District Board of Trustees for the several District Grammar Schools be incorporated with the General Board of Education, and communicate therewith by its Chairman, or Secretary.†

*This part of the Report is identical with the Reverend Doctor Strachan's evidence, (sections 3-5,) in reply to Question one, put to him by the Select Committee on Education. (See page 86.)

† See the same evidence, page 87.

RECOMMENDATION OF A PROVINCIAL BOARD OF EDUCATIONAL COMMISSIONERS.

Your Committee feel the more confidence in recommending the establishment of such a Board of Commissioners, from observing that a General Board of Education, or Regents of the University, has for many years superintended all Grammar Schools and Academies in the State of New York, between Common Schools and Chartered Universities, at present about sixty in number, with the most beneficial results.* Such a Board, established in this Province, with similar powers, would virtually possess all the knowledge and experience of the several District Grammar School Boards, from its communication with their Chairmen, and also from the occasional attendance of their members at its meeting; and thus a deep interest in the proceedings of the Board, and its success, would be diffused through the whole Province.

Under the superintendence of such a General Board of Commissioners, the improvements of District (Grammar) Schools would be equal and uniform; and, when new Districts were formed, their Boards of Grammar School Trustees would, of course, become members and correspondents of the General Board of Commissioners, and receive their share of the available funds.

Such a Board should be restrained in the power and authority with which it may be entrusted, by such rules and regulations as the Legislature may, from time to time, deem meet and expedient.

After ascertaining the quality and value of the lands under its management, by careful inspection and examination, it might be ordered, that no portion should be sold under the average price of Crown and Clergy Reserves, which is, at present, about fifteen shillings (\$3) per acre; a price which would be gradually increasing, as the School Lands are, or ought to be, equally good.

That the capital arising from sales be invested in good securities, and the interest, or annual income, only expended.

In this way a Grammar School fund will be gradually accumulated, and, although it may not for some time be considerable, it cannot fail to be ultimately great; and it should be borne in mind that public institutions of this kind are for the benefit of posterity, as well as of the present generation, and can seldom be extensively available when first established.

As it has ever been the intention of the Legislature to establish a Superior Grammar School in each District, to support which these lands offer the principal source of income, it would be a thousand pities, by too hasty sales, to render this source inefficient, since a little precaution, from the wonderful rapidity with which the Province is advancing in wealth and population, would soon realize an annual revenue equal to every reasonable purpose.

If the Province, without detracting from the present income, would erect in each District a good substantial School House of stone, or brick, after an approved model, so contrived, as, besides convenient schoolrooms, to admit of a residence for the Head Master, with proper accommodations to enable him to keep Boarders, the plan suggested might become immediately efficient, and the accumulating fund would soon supply a salary for an additional Classical Master and a Teacher of Mathematics; but, if it should be difficult to meet this expense in the present state of the Provincial Revenue, your Committee most respectfully submit that another mode presents itself for effecting the same thing, to which they do not anticipate any serious objection, —and that is, to make it imperative in the several Districts to erect such Buildings out of their own funds. This expenditure, as the School Houses would be all of the same form, need not exceed a specified sum; and for a purpose so necessary it would meet with general approbation, and would, at the present time, be scarcely felt by any District. It is an expense which they could well afford, and which they ought cheerfully to meet, while it would greatly relieve the Provincial Revenue and School Fund.

It would be the duty of such General Board of Commissioners to come to some conclusion as to what the ultimate condition of such District Grammar School ought to be, that they might keep it always in view, so as to take care, in their sales of land, to insure an increase fully adequate to their proposed objects.

In the meantime, to render the Board of Commissioners useful and efficient, it might be well to entrust it with an annual grant, to a certain amount, in aid of its revenue arising from interest on the money invested from the sale of lands, to be expended in salaries to additional Masters of District Grammar and other Schools, where required.

Were, for example, five thousand pounds (£5,000) per annum at the disposal of the Board of Commissioners, the deficiency between its income and this sum,—be made up from the Provincial Revenue,—such deficiency would lessen every year, and, in a short time, totally disappear, and thus relieve the Province from all charge. Your Committee, in making this recommendation, are supported by authorities both in England and the United States of America.

* See the same evidence, No. 2, of the Answer of the Reverend Doctor Strachan to the 2nd Question, page 87.

It might also be advisable to invest the General Board of Commissioners with power to encourage the establishment of Grammar Schools and Academies in populous towns and places, on certain conditions :—such as erecting proper buildings, placing them under the superintendence of the Board of Commissioners, and by adopting the system of instruction recommended, and by assigning to their Teachers reasonable salaries.

PRINCIPLES OF SUPERVISION—SUGGESTED BY THE REVEREND DOCTOR STRACHAN.

In directing their attention to the principles upon which such Schools, as they have been proposing to place under the General Board of Commissioners, ought to be established, your Committee so strongly agree in opinion with one of the gentlemen examined that they cannot do better than quote his answers. [They are those of the Honourable and Venerable Doctor Strachan, Archdeacon of York, and are as follows, page 89] :

1st. A vigilant superintendence over both Masters and Scholars, by a local Board of Trustees, is absolutely necessary.

NOTE.—It may be wise and convenient to give the Head Master a seat at such Board, that its rules and regulations may be conveyed through him, and that, in their adoption, the Board may have the benefit of his judgment and experience.

2nd. Such a system of instruction as may meet the wants and wishes of the country ought to be chosen, and this will be best digested and arranged by persons acquainted with the Province from long residence and observation.

3rd. Some portion of the income of the Teachers should depend upon the prosperity of the Institution.

NOTE.—In Universities, where the higher branches are only taught, where few students can be expected, and where fees are not always exacted, it is different ; but in all inferior Schools and Seminaries, the Masters ought to have an immediate interest in their becoming flourishing.

4th. A just system of discipline, not confined to School hours or School grounds, but extending over the conduct of every Scholar, at all hours and in all places, while he continues in the Seminary.*

NOTES.—(1) No severe punishment ought to be inflicted on any boy until after conviction, on clear evidence, and after admitting the accused a full opportunity of defence.

(2) No weapon should be allowed for punishing that may injure ; and corporal punishments, except for immoral conduct, should be discountenanced, as much as possible.

Your Committee are inclined to believe, [as suggested by the Reverend Doctor Strachan] that, if, in any Seminary punishments are frequent, the cause may be attributed to the irritable disposition of the Master, and [as Doctor Strachan also states,] his incapacity to teach. Such Masters ought [as he suggests,] to be speedily removed, for no Teacher, whatever his abilities may be, is fit for the office of an Instructor, who is not rather loved than feared by his pupils.

Your Committee, having thus stated, at some length, what they consider the best plan for managing the School Fund, and for superintending and improving the District Grammar and other Schools, and placing them on the most approved principles, proceeded to reduce the same into the form of a Bill, which they present herewith. They earnestly recommend it to the adoption of Your Honourable House.

REMARKS OF THE SELECT COMMITTEE ON UPPER CANADA COLLEGE.

It was the intention of your Committee here to have closed this communication, and to have reserved for their next Report the information which they have obtained respecting Minor, or Upper Canada, College ; but when once they came to the determination of embracing the District (Grammar) School of the Home District in their general plan, it seemed to them more expedient to recommend that the Minor, or Upper Canada, College, should be incorporated with the University of King's College, and they have accordingly prepared certain clauses for that purpose, to be added to the Bill which accompanied their First Report, now before Your Honourable House, for amending the Charter of that Royal Institution. Several powerful considerations have induced Your Committee to adopt this course. Among them are the following :

1st. The Legislature, in thus disposing of Upper Canada College, will be acting in concurrence with its Founder ; for it appears, by the unanimous evidence before them, that it is, and has always been, considered as an appendage to the University of King's College.

* In the Regulations prescribed for the Primary Schools of Ontario, in 1875, the same principle was laid down, and it was declared : "That pupils shall be responsible to the Master for any misconduct on the School premises, or in going to, or from, School, except when accompanied by their parents or guardians."

2nd. The inhabitants of the Home District will have no just cause of complaint, as they will in future have their own District (Grammar) School, affording to them the same advantages as the other Districts enjoy.

3rd. In looking upon Upper Canada College as a Minor portion of the University, your Committee are inclined to believe that a more classical system of studies may be sometimes required, as a preparation for the higher branches of knowledge to be taught in King's College, than is either useful or necessary at the District (Grammar) Schools. (See pages 28-30.)

4th. That a greater strictness in Classical Literature may be a recommendation to some of the inhabitants of this Province, and of our fellow-subjects from the Mother Country, who are daily coming amongst us, and who very naturally entertain a preference for the methods practised in the Great Schools of England.

5th. By continuing a strictly Classical School, and on the moderate terms of admission now in force, parents possess the freedom of choice between it and the District (Grammar) Schools.

6th. Your Committee were, moreover, the more inclined to this arrangement, as it relieved them from the necessity of proposing alterations in Upper Canada College, to which they felt a repugnance, because the rights of the present Masters, until otherwise provided for, involves an enquiry beset with peculiar difficulties.

On the whole, Your Committee think that it is for the advantage of the Province, (as filling a link in the great system of Education,) that Upper Canada College should become part of the University. Should any modification be deemed necessary, it will come better, and with immediate effect, from the Council of the University of King's College; more especially as His Excellency the Lieutenant-Governor, who has manifested the greatest anxiety to promote the Education of the youth of the Colony, is the Founder of Upper Canada College, and as Chancellor of the University, can, with the more propriety judge of, and carry into execution, such alterations as may be thought beneficial. All which is most respectfully submitted.

M. BURWELL,
Chairman.

COMMITTEE ROOM, COMMONS HOUSE OF ASSEMBLY,
13th December, 1832.

EXAMINATION OF PROMINENT LOCAL OFFICIALS AS TO WHETHER, OR NOT, UPPER CANADA COLLEGE WAS NECESSARY, OR USEFUL.

The Appendix to this Second Report of the Select Committee of the House of Assembly is taken up with the result of an enquiry made by the Committee into the foundation and condition of Upper Canada College, and as to its adaptation to the wants of the Country.

This enquiry may have been stimulated if not actually promoted by the objections urged against the College by two classes in the community,—the one local in its object, which objected to the classical and non-commercial character of the curriculum of the College; the other,—more numerous and widely scattered throughout the country—which represented the dissatisfied residents in other less favoured Districts, who strongly objected to the monopoly by the Home District of the whole of the original Royal grant of lands, part of which was especially given for the establishment of “free Grammar Schools” in the various Districts, and a University at the Capital. The objection of this latter class is strongly emphasized in a series of resolutions adopted by the House of Assembly on the 21st of December, 1831, (page 39), and again referred to in the Second Report of the Select Committee of the House, which was laid before it on the 14th of December, 1832, (page 78).

The local objectors to the curriculum of Upper Canada College—of whom Mr. (afterwards the Honourable) Robert Baldwin was one—put their remonstrance in the shape of a Memorial to Sir John Colborne, the Founder of the College, which they presented to him in July, 1832. To this Memorial the Lieutenant-Governor returned a somewhat full and comprehensive reply. (See pages 28-30.) It was clearly to the contents of this Memorial that the Reverend Doctor Harris, the first Principal of the College, referred in his answers to the questions proposed to him by the Select Committee of the House of Assembly and appended to the Second Report of that Committee, (page 94).

The more numerous class of objectors throughout the Province availed themselves of the presence of their local Representatives in the Legislature, to press their claims to a share in the Royal grant for “free Grammar Schools,” and to remonstrate, with more or less effect, against the action of the Executive Government in not having given effect to the generous intentions of the King, as embodied in the terms of the Royal grant of 1797, and as conveyed to the Legislature of Upper Canada, in the Despatch of the Duke of Portland in November of that year. They especially objected to the application of the whole of the revenue derived from that Royal grant, first to a Church of England National School, then to the Royal Grammar School of York, afterwards to Upper Canada College, into which that School was merged, and then to the projected University—all in the same Town.

Sir John Colborne evidently felt the force of these objections, for he directed his Executive Council to enquire fully into the whole matter, which the Council did, and prepared an interesting and exhaustive Report on the subject, (as will be seen on pages 44 and 45.)

APPENDIX TO THE SECOND REPORT OF THE SELECT COMMITTEE ON EDUCATION,

Contained the record of the examination of the following prominent local Officials :

1. The Honourable John Beverley Robinson, Chief Justice.
2. The Honourable and Venerable John Strachan, D.D., Archdeacon of York.
3. The Honourable George H. Markland, Registrar of King's College.
4. The Honourable Joseph Wells, Bursar of King's College, and Treasurer of Upper Canada College.
5. The Reverend Joseph H. Harris, D.D., Principal of Upper Canada College.
6. The Reverend Thomas Phillips, D.D., Vice-Principal of Upper Canada College.

1. *Examination of the Honourable John Beverley Robinson, Chief Justice of Upper Canada, and a Member of the General Board of Education, also of the Executive and Legislative Councils of the Province.*

1st Question.—What portion of School Lands were placed under the direction of the General Board of Education?

Answer.—I think somewhere about two hundred and fifty thousand (250,000) acres ; but the Honourable George H. Markland, Secretary of the Board, can state it accurately from official documents.

2nd Question.—What, in your opinion, would be the most judicious manner of managing the School Lands in future ?

Answer.—The first step I think should be to have the quality of the various allotments of lands ascertained, by actual examination of each tract ; a division could then be made satisfactory among the several Districts, and this division should be without regard to locality. I mean, for example, that of the lands in the Midland District, each District should have its proportion—for it is only in this way that an equal distribution can be made, on account of the fluctuation in value, as new settlements arise and from other causes.

2. As to the management of these lands, I am in favour of retaining them in hand, rather than of alienating them, unless indeed it be such portions of them as will bring a considerable price.

3. I suppose the intention is that from this resource a superior Grammar School shall be perpetually endowed in each District, and when we see with what wonderful rapidity this Province is advancing, it would be a thousand pities to lose, by too hasty a sale, the certainty of the valuable endowment which these lands will realize at no distant period, an endowment which cannot fail to increase with the increasing opulence of the country.

4. I would take the liberty of suggesting that the Legislature should either direct by an Act of their own, or through Commissioners to be appointed for that purpose, upon what scale the School, or Academy, of each District shall be established, prescribing an uniform system for each.

5. If the Province, without detracting from the present endowment, would erect in each District a good, substantial structure of stone, or brick, so contrived as to admit hereafter of two wings, which would furnish additional class rooms, the resource which is to support the current expenses of the Institution would be left untouched, and in a few years the lands would supply a salary for an additional Classical Master and a Teacher of Mathematics.

6. Whatever is designed to be the ultimate, or most effective, condition of these Schools, an estimate, founded upon the charge of such an establishment, might now be made, and I would at all events provide that none of the lands should be sold under such a price as that the interest of the purchase money of the whole endowment at that price would repay the charge of the Institution, as, for instance, two Classical Masters at £200 each, besides what fees they may receive ; one Mathematical Master, at £200 ; one Teacher of Writing, Arithmetic and the ordinary branches of an English Education, at £150. This would require £750, and adding for Library, repairs and contingencies of all kinds, £250 more, the sum required would be £1,000 annually. Supposing each District to have 25,000 acres of land, they ought to sell for fourteen shillings an acre to produce the necessary endowment ; and I would not, therefore, dispose of them for a less price, and I would only increase the present establishment of the Schools as the interest of the proceeds of sales would admit of it unless temporary assistance can be procured in the meantime.

7. As to the manner of vesting the lands in Trustees, in order to their future management, I am not prepared to express any opinion at present. Great care will be necessary to prevent their being the subject of jealousy and the cause of discontent.

8. Perhaps it would be expedient to provide for a Board of Trustees for each District, not too numerous, and subject to the control of a General Board of Education, of which all should be Members, so that each might, in its District, act as a Committee of the General Board itself.

3rd Question.—Have the General Board of Education any connection with Upper Canada College ?

Answer.—No further than that the Members who composed the Board have consented, at the request of His Excellency the Lieutenant-Governor, to concur with His Excellency in giving whatever services they have it in their power to render towards advancing the prosperity of the Institution. These services can extend no further at present than the offering suggestions and advice.

4th Question.—Where is the District (Grammar) School of the Home District ?

Answer.—Before the Upper Canada College was founded the District (Grammar) School of the Home District had been for several years incorporated with the Royal Grammar School, and the Head Master, in addition to his Provincial salary of £100, received from the Crown an additional salary as Teacher of the Royal Grammar School.

5th Question.—By what authority was the District (Grammar) School made part of Upper Canada College ?

Answer.—When His Excellency Sir John Colborne, the Lieutenant-Governor, took measures for increasing the efficiency of the Royal Grammar School, or rather for converting it into a

School, or College, of a very superior description, the same gentleman who had conducted the Royal Grammar School—which was in fact the District (Grammar) School—was made Vice-Principal, and his Scholars became Scholars in this enlarged Seminary (Upper Canada College).

2. The price of tuition was not increased, while the means of instruction were greatly augmented; and it was confidently expected that the most liberal construction would be placed upon an arrangement which increased the advantages formerly enjoyed in the Royal Grammar School and extended them to a much greater number in the College.

3. Since, however, dissatisfaction has been expressed at this (double salary) arrangement, the salary of a District (Grammar) School Master has not been drawn.

4. The Trustees of the Home District (Grammar) School, at the time the change was made, concurred in this arrangement, and they thought that they were doing right, though, perhaps, the informality might be objected to if there was a desire to take exception to it.

6th Question.—Are there any free Scholars in Upper Canada College?

Answer.—I am not aware that there are any.

7th Question.—Were there not free Scholars in the District and Royal Grammar School, and have not the laws provided for sending ten free Scholars to each of the District (Grammar) Schools?

Answer.—I think there were,* but am not certain whether they were to be considered as being actually on the foundation of the District School, or of the Royal Grammar School, which I knew had a limited number of free Scholars on the foundation, by the arrangement of His Excellency Sir Peregrine Maitland, then Lieutenant-Governor.

8th Question.—Is it usual to place French and Drawing Masters on the foundation of large Schools and allow them salaries without any regard to the number of their pupils?

Answer.—I believe it is not the usual course; but I am not particularly informed on this point.

2. It was thought that instruction in French and in the rudiments of Drawing would be a very important addition to the ordinary course of Education, and that, if these could be made parts of the general system of instruction and be taught to all, without exception, a great general good would be attained.

3. Whereas, if they were made to entail an additional charge for tuition, some parents might be unable to avail themselves of the advantage, and others who were able might, from a too rigid economy, dispense with it.

4. For the sake of the youth of the Province, therefore, these branches were placed upon the footing on which they now are.

5. I doubt whether it has answered well, and I am sensible that the plan is subject to objections, but I thought it expedient at the time, and fully concurred in it.

9th Question.—Are the inhabitants of York less able to pay for the instruction of their children in these branches than the people of the other Districts?

Answer.—I hope they are not less able, but it must be very well known that the advantage is by no means confined to them, or even to the inhabitants of the Province.

2. Every such Institution (as Upper Canada College) must be placed somewhere; the inhabitants of every other District who live more than five miles from the District Town can not otherwise avail themselves of the District (Grammar) School in their own District than by sending their children from home to board in the District Town, which will not cost less than to board them in York, and yet I should think it was never imagined that the Legislature established the District (Grammar) Schools merely for the convenience of the people living in the District Towns.

3. Upper Canada College, it is well known, owes its establishment to His Excellency, Sir John Colborne, the Lieutenant-Governor, who can clearly have no local interests to serve in the matter.

4. The inhabitants of York did nothing more than assist in giving effect to His Excellency's measures; and, as one of these, I had no idea that the Upper Canada College would be regarded as established for the benefit of the inhabitants of York, any more than the University of Oxford is looked upon as belonging to the people of Oxford, or Eton College to be maintained for the sake of the inhabitants of Windsor.

* See section six of the District Grammar School Act of 1819, page 149 of the First Volume of this Documentary History.

10th Question.—Does Upper Canada College appear to answer the purposes for which it was intended?

Answer.—I understood that it was principally intended to prepare the youth of this Province to receive the instruction to be dispensed from King's College, the proposed University. This specific purpose it can, of course, not have answered, because the University has been checked in its very commencement; which I conceive has been exceedingly injurious to the Province.

11th Question.—In what do you consider Upper Canada College defective, as an Institution for promoting the Education of youth?

Answer.—I have thought the system pursued not judicious in several respects,—I mean as to the method of instruction. The discipline, I believe, to be good and strictly observed.

2. At the request of the Lieutenant-Governor, I have, on one or two occasions, stated what I thought might be amended, in order that what was represented as amiss might be considered.

3. I do not pretend to judge of the proper mode of conducting the details of a College, in other respects than such as are within the observation and experience of people generally.

12th Question.—Does the income of the Master (in Upper Canada College) depend in any manner upon the number of his pupils?

Answer.—It does not.

13th Question.—Are the Masters of the College responsible to any Board?

Answer.—I cannot say precisely what the Masters may think in regard to their responsibility. At present, I look upon myself in no other light than as one of a number of gentlemen, whom His Excellency, the Lieutenant-Governor, is pleased to consult in matters affecting the College.

2. If those gentlemen were to unite in a representation upon any essential point, and their right to interfere were denied, I take it for granted that they would withdraw from a trust, in which they could be no longer useful; because, it is not to be expected, that anyone would willingly be responsible, even in appearance, when he had in fact no control in the matter.

14th Question.—Upon what principles ought such a Seminary as Upper Canada College be established?

Answer.—In answer to any specific enquiries on such a subject, I should be happy to give my opinion, but it would probably be of little value.

2. *Examination of the Honourable and Venerable Doctor John Strachan, Archdeacon of York, and a Member of the General Board of Education; also a Member of the Executive and Legislative Councils of Upper Canada.*

1st Question.—What portion of School Lands were placed under the direction of the General Board of Education?

Answer.—The portion of School Lands placed under the direction of the General Board of Education, was 190,573 acres, certain parcels of which have, from time to time, been sold, but the exact quantity I do not know; this however, the Secretary (Mr. Markland) will be able to state.

2. It appears from the Report of the Executive Council, that about 240,000 acres, or nearly a moiety of the original reservation, will remain at the disposition of the Legislature.

3. It also appears to me, from reference to the Duke of Portland's Letter of 1797, and the readiness it manifests to meet the wishes of the Legislature, that further grants would have been cheerfully given, had they been deemed at the time necessary and had been requested.

4. And we have no reason to doubt that His Majesty's present Government will be as willing now, as it was then, to comply with any reasonable prayer of the Legislature, for further appropriations for the Education of our great and increasing population.

5. And how can the waste lands of the Crown be more usefully disposed of than in promoting public instruction, and in establishing beneficial Institutions.

6. It is difficult for an inland Colony like this to get any large and beneficial establishments, except through the intervention of land, as the Provincial Revenue increases too slowly to allow for a long time of large appropriations.

2nd Question.—What, in your opinion, would be the most judicious manner of managing the School Lands in the future?

Answer.—The management of School Lands, as well as the superintendence of all the District Grammar and other Schools, might be conveniently and usefully placed under such a Board of Commissioners, as we find recommended in His Excellency's Speech from the Throne, and in the Report of the Executive Council, with this addition, that each District Board of School Trustees for the District (Grammar) School be incorporated with the General Board of Commissioners, and communicate therewith by its Chairman, or Secretary.

2. Were such a Board of Commissioners constituted a corporation, with powers similar to the General Board of Education or Regents of the University, in the State of New York, which has under its superintendence all Grammar Schools and Academies, (between Common Schools and Chartered Universities) at present about sixty in number, the most beneficial results might be anticipated.

3. Such a Board would virtually possess all the knowledge and experience of the several District School Boards from its communication with their Charman, and also from the occasional attendance of their members at its meetings, and thus a deep interest in its proceedings and success would be diffused through the whole Province.

4. Under the superintendence of such a General Board of Commissioners, the improvements of District (Grammar) Schools would be equal and uniform; and when new Districts were formed, their Board of School Trustees would, of course, become members, and correspondents of the General Board of Commissioners, and would receive their share of the available funds.

5. Such a General Board of Commissioners might be restrained in the exercise of its powers and authority, as the Legislature might deem meet.

6. After the lands under its management had been carefully inspected and valued, it might be ordered that none should be sold under—shillings per acre.

7. That the capital rising from sales be invested in good securities, and the interest, or annual income, only be expended.

8. In this way a Grammar School Fund will be gradually accumulated; and although it may not for some time be considerable, it cannot fail to be ultimately great.

9. Indeed the rapid increase of population will shortly render it productive; and it should be borne in mind, that public Institutions of this kind are for the benefit of posterity as well as of the present generation, and can seldom be extensively available when first established.

10. To give such a Board of Commissioners immediate efficacy, it might be intrusted with an annual sum, to a certain amount, to be expended in salaries to the Masters of District and other Grammar Schools, and such other aids as might make them more efficient, say, merely for illustration, four thousand pounds (£4,000) per annum,—the deficiency between the income of the Board arising from interest of money from lands sold, and this sum to be made up from the Provincial Revenue.

11. The deficiency would lessen every year, and in a short time would totally disappear, and thus relieve the revenue from all charge.

12. This has been the practice of the neighbouring States in like cases, and is still acted upon in many of them.

13. This General Board of Commissioners might also have power to encourage Academies established in populous towns and places, by assigning salaries to their Teachers, if placed under its superintendence—such, for instance, as the one (Grantham Academy) at St. Catharines, and one (Ernestown Academy) at Bath, and soon will similar Institutions require aid at Bytown, Prescott, Belleville, Peterborough, Dundas, Ancaster and Amherstburgh, etc.

14. The plan suggested would require uniformity and usefulness, if it were made imperative in the several Districts to do as suggested out of their own funds, and which could well afford to erect a substantial School House and residence for the Head Master of the District (Grammar) School, with proper accommodations to enable him to keep boarders, all to be built after an approved model, and not to exceed a specified sum.

15. An expenditure for a purpose so necessary would scarcely be felt by the several Districts,—an expense which they ought cheerfully to meet, and which would greatly relieve the Provincial Revenue and School Fund, and bring the system proposed almost immediately into operation.

16. The General Board of Commissioners should meet four times in the year, on known and fixed days, with power to adjourn, that any of the members, being Trustees in outer Districts might attend it, if they thought it fit, and could make it convenient.

3rd Question.—Have the General Board any connection with Upper Canada College ?

Answer.—The General Board of Education has attended to the fiscal arrangements respecting Upper Canada College, and has given its advice, when asked, but has never exercised any direct authority over that Institution.

4th Question.—Where is the District Grammar School of the Home District ?

Answer.—Many years ago the District Grammar School was incorporated with the Royal Grammar School, under the same Teacher, and, as it was supposed, with mutual benefit.

5th Question.—By what authority was the District Grammar School made part of Upper Canada College ?

Answer.—Both were included in Upper Canada College, and from the best motives, though, perhaps, in a legal point of view, somewhat irregular. I certainly agree in the hope of establishing a more efficient Seminary, but the moment measures arose about the District (Grammar) School, the salary was no longer paid to Upper Canada College, and is now, I presume, at the disposal of the Legislature.

6th Question.—Are there any free Scholars in Upper Canada College ?

Answer.—There were eight free Scholars at the Royal Grammar School, and I was anxious that they should be continued at Upper Canada College ; but it was argued with some reason, that the fees were so small that there was no necessity for admitting any altogether free.

7th Question.—Were there not free Scholars in the District and Royal Grammar School ; and have not the laws provided for sending ten free Scholars to each of the District Schools ?

Answer.—The law certainly provide for ten Scholars of superior talents, selected from the Common Schools, to be sent to the District (Grammar) School, but no District has, I believe, availed itself of this privilege, nor will they until the School Fund, or the Legislature, assume the whole expense of such Scholars, while they remain at the District (Grammar) School, in board and lodging, as well as tuition.

Such children are commonly of the poor class, whose parents are unable to support the expense of boarding them from home.

The whole expense in a free country like this should be defrayed by the public, that promising boys giving indication of high talent, though poor, might have an opportunity of cultivating their faculties, and if able and virtuous, taking a lead in the community.*

8th Question.—Is it usual to place French and Drawing Masters on the foundation of large Schools, and allow them salaries without any regard to the number of their pupils ?

Answer.—According to my experience and information, French and Drawing Masters are attached to Seminaries, but not placed with salaries on the foundation. They are paid only by those who employ them. To this general practice there may be exceptions, but I consider it the most judicious, and it seems to work well.

9th Question.—Are the inhabitants of York less able to pay for the instruction of their children in these branches than are the people of the other Districts ?

Answer.—Doubtless—but Upper Canada College is not exclusively for York—but for the Home District and the whole Province.

10th Question.—Does Upper Canada College appear to answer the purposes for which it was intended ?

Answer.—One of the purposes which Upper Canada College was expected to answer, namely, that of preparing young men for the University cannot be yet fulfilled, as the establishment of the University has been delayed. Under all the circumstances of its establishment, I am of opinion that it has answered the purposes for which it was intended, as well as could have reasonably been expected.

11th Question.—In what do you consider it defective as an Institution for promoting the Education of youth ?

Answer.—It must be the earnest wish of every lover of knowledge that an Institution so splendid as that of Upper Canada College should have no defects ; I believe some that have been noticed are in the course of correction ; and I am likewise of opinion that it is gradually improving, and becoming more in accordance with the wants and wishes of the country ; any defects, which may still remain, will be removed so soon as its organization shall be fully completed, which has hitherto continued imperfect.

*The Reverend Doctor Strachan here advocates, in advance of his times, as he did in his elaborate Report to the Lieutenant-Governor on the 5th of February, 1829, the principle now incorporated in our school of all grades—that of practically free tuition—the property of the country now being taxed to support Public and Grammar Schools alike. See the First Volume of this Documentary History, page 267.

12th Question.—Does the income of the Master depend in any manner upon the number of his pupils?

Answer.—I believe not.

13th Question.—Are the Masters responsible to any Board?

Answer.—The answer may be found to that of number three (page 88): (To the effect that the General Board of Education had attended to the fiscal arrangement of the Upper Canada College, and had only given advice, when asked.)

14th Question.—Upon what principles ought such a Seminary to be established?

Answer.—The question can only be answered on general principles, without reference to any particular School or Seminary, and I beg so to be understood.

NOTE.—The first, second and part of the third of these “General Principles,” as explained by the Reverend Doctor Strachan, are incorporated in the latter part of the Report of the Select Committee, page 81. The following are the omitted parts in that Report:

3rd. . . . If the Teachers are diligent, and do their duty, the reputation of the Seminary will rise—the Scholars will increase, and consequently their emoluments. The portion of the Teachers' income which should depend upon their industry, that is, the number of their Scholars in a new country like this, may not be easy to determine, perhaps a third may at present be sufficient—in a dense population a much larger proportion is common.

4th. . . . It is a maxim in the conduct of Education, that if in any Seminary or class, punishments are frequent, the cause is the ungovernable passions of the Master, and his incapacity to teach. Such Masters ought to be speedily removed by the Board; for no Teacher, whatever his abilities may be, is fit for the office of an instructor, who is not both loved and feared by his pupils.

JOHN STRACHAN.

YORK, 26th November, 1832.

3. *Examination of the Honourable George Herchmer Markland, Member of the Legislative Council, Registrar of King's College, and Secretary to the General Board of Education for Upper Canada.*

1st Question.—What portion of School Lands were placed under the direction of the General Board of Education?

Answer.—About 549,000 acres were originally set apart for the purposes of Education, of which about 225,000 have been transferred to the Government, in lieu of the leased Crown Reserves, with which King's College is endowed. About 190,000 acres, consisting of Blandford, Houghton, Middleton, Southwold, Yarmouth, Westminster, in the London District, have been placed under the more immediate control of the Board for realizing a fund for practical purposes.

2nd Question.—What, in your opinion, would be the most judicious manner of managing the School Lands in future?

Answer.—As sales must be made, instalments received and deeds be prepared, after the payments are completed, it will be necessary to place the lands within the control of a Board of Commissioners, or of a single Commissioner, in order to have the business transacted. The amount received should be paid to the Receiver-General half-yearly, with an account in detail of receipts during the period. Whether the Agent should or should not be allowed to execute the Deed in fee simple, as in the case of the King's College grants, is worthy of consideration, as it would much facilitate the completion of the transactions.

3rd Question.—Have the Board any connection with Upper Canada College?

Answer.—They are Trustees of that Institution. (But see former answers to this question.)

4th Question.—Where is the District School of the Home District?

Answer.—The District (Grammar) School is not now in operation. It was for some time attached to the College of Upper Canada, but has since been withdrawn from it; and I believe the salary remains untouched and undrawn.

5th Question.—By what authority was the District School made part of Upper Canada College?

Answer.—By the authority of the Lieutenant-Governor and the General Board of Education.

6th Question.—Are there any free Scholars in Upper Canada College ?

Answer.—There are not any free Scholars in it.

7th Question.—Were there not free Scholars in the District and Royal Grammar School ; and have not the laws provided for sending ten free Scholars to each of the District (Grammar) Schools ?

Answer.—The Grammar School law of 1819 did provide for sending ten free Scholars to each of the District (Grammar) Schools, and there were free Scholars in the District (Grammar) School.

8th Question.—Is it usual to place French and Drawing Masters on the foundation of large Schools and allow them salaries without any regard to the number of their pupils ?

Answer.—I am not fully informed on that subject. The reason for doing so in this instance (*i.e.*, Upper Canada College) was that without fixed salaries there would not be sufficient inducement for persons duly qualified to come to this Province and take the positions.

9th Question.—Are the inhabitants of York less able to pay for the instruction of their children in these branches than the people in the other Districts ?

Answer.—I should not suppose the inhabitants of York less able to pay for the instruction of their children, but the contrary.

10th Question.—Does Upper Canada College appear to answer the purposes for which it was intended ?

Answer.—There have not been as many pupils from a distance as were expected, although the expense of tuition and board amounts only to £25 per annum, but it is fair to suppose that further experience will make it a more general resort for the youth of the Province. The efficiency of the College can ill be judged of before there has been time sufficient for the pupils to go through the whole course of study which it affords.

11th Question.—In what do you consider Upper Canada College defective as an Institution for promoting the Education of youth ?

Answer.—I am not aware that it is materially defective for that purpose. There may have been too much time devoted to the Classical Department, and too little to other branches of greater practical utility, which renders the course too long for the ordinary description of students, and occupies the time that might otherwise be devoted to acquiring a profession. There have been differences of opinion respecting the internal regulations which do not, however, interfere with the question of the utility of such an establishment.

12th Question.—Does the income of the Master depend in any manner upon the number of his pupils ?

Answer.—The income does not depend upon the number of Scholars. I was decided, in the outset, that no persons of high standing in the Universities could be induced to superintend classes in the College without a certain remuneration, and that, therefore, all College dues should be credited to the funds of the Institution, and the amount of salaries be so fixed as to form a certain permanent income.

13th Question.—Are the Masters responsible to any Board ?

Answer.—The Masters are in some degree responsible to the Trustees (see answer to question 3).

14th Question.—Upon what principles ought such a Seminary be established ?

Answer.—Upon such principles as will combine general utility with the means of affording a complete Education to those who desire it, without obliging the youth of the Province to leave it for that purpose.

4. *Examination of the Honourable Lieutenant-Colonel Joseph Wells. Member of the Legislative Council and of the General Board of Education ; Bursar of King's College, and Treasurer of Upper Canada College.*

1st Question.—What portion of School Lands are placed under the direction of the General Board of Education ?

Answer.—I respectfully refer to the answer of the Honourable George H. Markland, who acts as Secretary to the General Board of Education.

2nd Question.—What, in your opinion, would be the most judicious manner of managing the School Lands in future ?

Answer.—This question seems to be best resolved by dividing it under two distinct heads : Firstly, As to the most expedient mode of disposing of these School Lands ; and, secondly, As to the most judicious manner of managing their proceeds.

Firstly.—As to the most expedient mode of disposing of those School Lands.

The most expedient way to dispose of those lands is to do so gradually as favourable opportunities may either present themselves or be courted by judicious advertisements, but on no account to force them into the market by a premature offer of either the whole or a greater part of them, lest by such premature indiscreet compromise of their increasing value the advantages to be naturally anticipated by the influx of capital now annually pouring into the Province may be sacrificed thereby ; for it is self evident that, as townships far more distant than these School Lands are now rapidly filling up, these latter must, according to the common nature of events, be eagerly sought after, and considerably advanced prices easily obtained for them by the successive increase of future emigrants from Europe, who will be naturally induced to prefer an intermediate settlement to a far advanced one.

Secondly.—The proceeds from all sales of School Lands should be considered as a principal to be so invested as that posterity may benefit by the interest to be derived therefrom ; for should an indiscreet inroad of that principal be once intruded upon, what bounds can be set upon its total extinction ? And from this I presume to argue that the proceeds of the interest accruing from the investment of such principal should form the boundaries of the edict of the Legislature in their pecuniary allotments for the benefit of the schools of the Province, as far as may affect the produce which may arise from the sale of these School Lands ; in short, I trust that, rather than encroach upon the claims of posterity for their inheritance to the advantage arising from the original grant, this and all future Legislatures will rather, by an extra grant of money, burthen the race that is to be immediately benefited by any extra expenditure that may be called for than annihilate the foundation originally intended for the benefit of all future generations.

3rd Question.—Have the Board any connection with Upper Canada College ?

Answer.—The General Board of Education having been appointed Trustees of the Upper Canada College are so far connected with it as to have authorized all the expenditures for its erection and the salaries for its Masters.

4th Question.—Where is the District School of the Home District ?

Answer.—There is not at present any District (Grammar) School of the Home District.

5th Question.—By what authority was the District (Grammar) School made part of Upper Canada College ?

Answer.—I cannot precisely answer this query. I simply understood that the former District and Royal Grammar School was recommended by His Excellency the Lieutenant-Governor to merge in the Upper Canada College (or, as it was first called, Minor College) as a superior benefit, not merely to the Home District but to the Province at large, and the Board concurred in that arrangement by carrying it into effect.

6th Question.—Are there any free Scholars in Upper Canada College ?

Answer.—Not that I am aware of.

7th Question.—Were there not free Scholars in the District and Royal Grammar School, and have not the laws provided for sending ten free Scholars to each of the District Schools ?

Answer.—There were a few (five or six) free Scholars in the District and Royal Grammar School, appointed by the preceding Lieutenant-Governor.

8th Question.—Is it usual to place French and Drawing Masters on the foundation of large Schools and to allow them salaries without any regard to the number of their pupils ?

Answer.—I am not sufficiently acquainted with the organization of the foundation of large Schools to reply to the question. . . . With regard to the Drawing Master, it has been arranged that he should be alike rendered subservient in a part to the general utility of the establishment by teaching, in turn, all the pupils (as they are sufficiently advanced in the College) plain drawing, perspective and surveying without that extra charge of two pounds per annum. . . .

9th Question.—Are the inhabitants of York less able to pay for the instruction of their children in these branches than the people of the other Districts ?

Answer.—From the bearing of this question everyone cannot but reply alike. . . . I view the College of Upper Canada, not as a District establishment but as a Provincial one, specially designed for the advantage of the rising generation, from one extremity of the Province to the other. . . .

In order, however, to extend to the inhabitants of other Districts the advantages of this superior School to as great a degree as the nature of the case will admit of, a Boarding House has been erected, where the pupils from distant parts are accommodated, for the moderate terms of £25 per annum, including the charges for the regular College tuition—a sum as low as that paid to any respectable Seminary in the United States, and infinitely lower than what is charged in those Seminaries which can at all vie with Upper Canada College.

10th Question.—Does Upper Canada College appear to answer the purposes for which it was intended?

11th Question.—In what do you consider it defective as an Institution for promoting the Education of youth?

Answer.— . . I shall condense my reply to these questions when I come to that 14th query.

12th Question.—Does the salary of the Head Master depend in any manner upon the number of his pupils?

Answer.—Not in the least, now that he has ceased to take in Boarders.

13th Question.—Are the Masters responsible to any Board?

Answer.—Upon an extension of the numbers to the members who composed the Board of Education, which took place about three years since, the whole were constituted Trustees of the Upper Canada College, and as such they were invested with all the pecuniary arrangements attending it; but by the tenor of their appointment, they felt themselves restricted from any interference with the Principal of the College, as the system of Education to be pursued therein, further than by recommendation to the Lieutenant-Governor. Upon the late virtual dissolution of the General Board of Education, the members composing it were requested to continue their functions as Trustees of the College; and consequently, I conceive that the Masters are so far responsible to them, that in case of alleged misconduct in any of them, the Board of Trustees would feel it their duty to take cognizance of the same, and after due inquiry thereupon, to make a special report of the circumstances to His Excellency the Lieutenant-Governor, as the Patron of the College.

14th Question.—Upon what principles ought such a Seminary be established?

Answer.—This query seems to me to be so involved in those of the 10th and 11th, that I combine them, in order to avoid repetition of matter, in reply.

And first.—I consider the founding of Upper Canada College as one of the most beneficial schemes for benefiting the Province that has been as yet carried into execution, inasmuch as such an establishment, if judiciously organized will not only place the present inhabitants of this Colony, (and those about to emigrate to it, as far as regards the giving a superior Education to their children,) upon a par with all other countries. . . .

Now where is the Colony which can vie with Upper Canada, since its highly superior Seminary (or College) has been established, in which is to be found a condensation of the advantages of the Eton, Westminster, Winchester, Harrow, and other large Schools in England, open to their sons at a far more moderate expense than those in England. . . .

Having thus dilated upon what I conceive to be the great desideratum of the Province, viz.:—the establishment of a first rate Seminary for the Education of its youth,—I would . . . request you to take into consideration the important bearings which this Minor College, (for in that light do I view this of Upper Canada,) has to the Chartered Establishment of the University of King's College. . . .

I therefore confine myself to the consideration of that link in the chain which must necessarily connect Upper Canada College with the University, inasmuch as the latter could only have affected a very circumscribed good, without the preparatory assistance of the other, to produce efficient candidates for admission into it; for after a once celebrated school in the Province [the Reverend Doctor Strachan's] fell into decay by the retirement of its Director, the evidence of whose successful pupilage of his Scholars is now fully appreciated by the present display of their talents and acquirements, Education, as far as regarded the Home District (Grammar) School, fell gradually from its former excellence to far below par; although partially relieved from that depression by the appointment of a new Master upon its organization into a District and Royal Grammar School, yet still a great deficiency was felt, and, not until the formation of the Upper Canada College, with its extended scheme of Education, did there appear any prospect of the intended University of King's College being productive of a result at all equivalent to the outlay and annual expenditure which such an establishment would naturally have occasioned; but now that the foundation stone of high attainments in Learning has been permanently laid, and its flights of steps being now progressively climbed by the present pupils of the Minor College, the time seems to have arrived when the claimants for the higher grades of a University Education bid fair to warrant the expenditure which will accrue by its formation.

With regard to my opinion as to whether the College appears to answer the purposes for which it was intended, I beg to reply, that as I consider the Upper Canada College a sort of stepping stone to the University, I do not consider its merits can be fully appreciated, until the time shall arrive for the admission of Students into the latter, when their qualifications for entry will be then ascertained.

To the other query—upon what principles ought such a Seminary to be established? I must confess my total inadequacy to give a fixed opinion.

One man wishes it to be purely Classical Mathematical School of the higher order; another that it should be confined to a certain degree of those attainments, with an intermixture of other *etceteras*; a third, that it should be a sort of "Olla Podrida"—a smattering of everything; in fine, the more I hear upon the subject the more I am convinced that the discussion upon what ought to be the organization of the Upper Canada College may be considered as a fac simile of the old fable of the Man, the Boy and the Ass, and that all attempts to please the various whims of the would-be regulators of the system of Education, will end in failure—in short, to endeavour to please all, double the number of the present Masters must be employed, for you cannot multiply Forms or Classes of divers grades without a corresponding number of Teachers to direct them.

In fine, those parents who are not desirous that their sons should waste their time, (as they call it), in studying the dead languages, had much better content themselves with the Education which those boys may acquire at the District (Grammar) Schools, for I am very ready to acknowledge that those youths who are destined for the useful occupations of the humbler avocations in life, would be idly employed in studying the dead languages to sixteen or eighteen years of age, and that a knowledge of the English Grammar, with a thorough acquirement of Arithmetic, and such a proficiency in Mathematics as may be required for mechanics, is all that is likely to be profitable to them in after life; but I nevertheless venture to maintain that it is highly desirable that there should be established a Provincial Seminary of a higher order, like that of the Upper Canada College, to be accessible to all at a moderate rate so as to enable the parents of those boys whom they may have destined to qualify for higher pursuits, to have such an Institution to resort to, as may fitly prepare them for the attainment of the highest object of their ambition, whether in Law, Physic or Divinity.

Additional Financial Questions Submitted to Lieutenant-Colonel, the Honourable Joseph Wells, as Treasurer of Upper Canada College.

1st Question.—What is the annual cost, or charge, of the Upper Canada College?

Answer.—The present fixed annual charges upon the establishment for salaries and allowances (exclusive of contingencies), are as follows:

	Sterling.	
The Principal	£600 per annum.	
The Vice-Principal	400 "	
The Mathematical Master	300 "	
Two Classical Masters at £300 each.....	600 "	
The French Master.....	200 "	
The Drawing Master.....	200 "	
The Writing and Ciphering Master.....	150 "	
The Master of the Preparatory School	150 "	Halifax
		currency.
	£2,600 <i>i. e.</i>	£2,883 17 9 or \$11,555 55
Allowance for house rent to the three Junior Masters, at £25 Halifax		
currency, each.....		£75 0 0
Porter's wages		40 0 0

Total permanent annual charges, in Provincial currency £3,003 17 9 or \$12,015 55

2nd Question.—What proportion of this is discharged by the tuition money?

And how much of the charge is paid from other funds, and from whence are such funds derived?

Answer.—The total sum which I have received from the Collector of College Dues, (who is the Writing Master of the College, and keeps the accounts under the superintendence of the Principal), from the opening of the College, which was in January 1830, to the close of the last half year which ended 30th June, 1832, forming a period of two and a half years, amounting to

£1,167 9s. 6d. Provincial currency, which is, upon an average, nearly £800 per annum, but part of the amount of this collection is for the charge of books furnished to the pupils.*

2. Upon the strength of the grant of land for the endowment of Upper Canada College, which formed a supposed security for the advancement of moneys until those lands would be sold to repay the same, the Council of King's College and the General Board of Education authorized me, as the Bursar of the former, and Treasurer of the latter, to advance, on loan, out of the respective funds belonging to each, such sums as might be required from me, as the Treasurer of the Upper Canada College, for the payment of the erection of the buildings and the salaries of the Masters, etc.; and which sums, so advanced, were to be repaid out of the proceeds of the sales of its lands, with interest.

5. *Examination of the Reverend Joseph H. Harris, D.D., Principal of the Minor, (or Upper Canada,) College at York.*

1st Question.—Are you acquainted with the economy of the great Schools in England.

Answer.—If this question refers to the subject of the next question, my answer to that will perhaps be allowed to imply my answer to this.

2nd Question.—Are the Masters of such English Schools paid, independently of the number of pupils, as at Upper Canada College?

Answer.—The Masters of all the great Schools that I am acquainted with are paid independently of the number of pupils, as at Eton, Westminster, St. Paul's (London) and Rugby.

I may perhaps be allowed to add, that in all these instances a strictly Classical Education is alone pursued, and that, consequently, the superintendence of the Head Masters is confined to the simple object of directing one uniform plan of instruction in one department, and that they have not the labour of making and superintending the application of those complex arrangements which are necessary in a system embracing numerous different studies.

3rd Question.—Will you state the number of boys attending the College, during every half year since its commencement, and the number in each class respectively for the same periods?

Answer.—The numerical statements in reply to this Question, are given on two papers marked Numbers 1 and 2. The number of boys shown in Number 1 steadily increased up to the vacation commencing in August, 1831.

2. During that vacation a considerable effort and influence were exerted by some individuals in the Town, to produce an expression of dissatisfaction at the system of Education pursued, and of a desire that it should be altered conformably to their ideas; so much temporary prejudice was thus excited as to cause the removal of a large number of boys, and the numbers at the College fell from 126 to 109. . . .†

3. It is, however, evident that the prejudice above referred to is dying away, partly in consequence of modifications in the course of study which have introduced a greater portion of miscellaneous (not Classical) studies, especially in the lower part of the College; but chiefly, because the effects of the system pursued at the College are now beginning to be felt (and surely the effects of such an Institution could not reasonably be estimated in a shorter period), and many parents can now see the difference between the sound instruction which, I am bold to say, is imparted at the College, and that superficial, but pretending and hasty system, which is rather calculated to attract by a semblance of rapid progress, than to discipline and form the mind of youth.

4. I express these opinions with the greater confidence, *first*, because (as will be seen by a reference to the statements Numbers 1 and 2 submitted), the number of admissions during this half year has been greater than in any previous half year since the College was opened (excepting, of course, that of its actual commencement); and *secondly*, because several late admissions are of boys, who have either been removed from the College and sent to other Schools, and are now again sent back to the College; or else have been removed directly from Schools in the United States to be sent to College here.

5. With respect to the statement (Number 2), it is necessary to explain the variations in classifications, which will be observed in the different years.

* In a letter to Mr. Burwell, Chairman of the Committee, from Colonel Wells, dated the 14th of January, 1833, he says: In my reply to the Second Query, put to me by the Committee, I totally omitted to notice the Royal Grant of £500 per annum, as part of the fund from which the annual charge of Upper Canada College was to be defrayed. It was one of those extraordinary failures of memory. . . .

† See Memorial to the Lieutenant-Governor and his Reply on pages 28-30.

6. The plan, which was originally digested for the College system, consisted of six forms, the first being the lowest, and the sixth the highest.

7. On examining the boys, however, at the commencement, for the purpose of classing them according to this arrangement, none were found sufficiently advanced for the work of the sixth form, and two only equal to that of the fifth, (*i. e.*, reading Ovid's *Metams*, and *Analecta Græca Minora*).

8. At the commencement of the second year, though the higher boys had made such progress as was to be expected, they had not yet reached that point which I considered ought to represent the extent to which a Classical Education was carried by the College; and the fifth form was, therefore, then divided into a first and second division, the upper division consisting of the most advanced during the previous year: This division read Virgil, Cicero, Homer, etc.

9. At the commencement of the third (the present) year, when some of the upper boys were equal to what I considered ought to be the standard of Classical proficiency at the Institution, a new arrangement was made, dividing the College into seven forms, in order to produce a more equable advance than it was found that six forms would allow.

10. The seventh form have this year been reading Horace, Livy, Homer, Euripides, etc., and henceforward pupils who have completed this course will be qualified for removal with advantage to a University, which, with lower attainments, they could not have entered with a fair prospect of reaping those benefits which that higher Seminary is designed to afford.

11. The pupil who is at present at the head of the College will proceed to the University of Cambridge (England) next Spring, where I trust his progress will not discredit the instruction he has received at Upper Canada College.

JOSEPH HARRIS,
Principal.

UPPER CANADA COLLEGE,
YORK, December 3rd, 1832.

The Reverend Doctor Harris' Answer to Question 3—Statistical Record, Number 1.

Dates.	Number of boys actually on the College 1 st dur- ing the quarters ending at the annexed dates.	Actual number of admis- sions during each quar- ter respectively.	Actual number of admis- sions during each half year.
1830.			
March 20	89	89	107
June 10.....	106	18	
August	105	4	24
Xmas.....	119	20	
1831.			
March 20	124	15	22
June 10.....	124	7	
August	126	10	20
Xmas.....	109	10	
1832.			
March 20	107	9	12
June 10.....	106	3	
August 14.....	104	7	26
At this time—December, 1832.....	106	19	

The Reverend Doctor Harris' Answer to Question 3—Number 2.

Number of scholars in the respective Forms of the Upper Canada College at the close of the several quarters, as noted in the margin.

Date.	Preparatory School.	1st Coll. Form.	2nd Form.	3rd Form.	4th Form.	5th Form.		
1830.								
March 20	45	14	12	12	9	2		
June 10	43	14	13	13	10	2		
August	33	19	16	18	10	3		
Xmas	39	23	22	19	9	5		
1831.						5th Form. 2nd Division.	5th Form. 1st Division.	
March 20	40	20	19	20	9	10	2	
June 10	38	20	17	18	9	9	2	
August 16	28	28	24	20	8	10	3	
Xmas	26	27	25	13	8	6	2	
1832.						5th Form.	6th Form.	7th Form.
March 20	15	25	20	17	9	6	3	4
June 10	20	27	19	17	9	6	2	4
August 14	15	24	23	17	7	5	3	4
At this date								
December 1.....	23	23	24	16	10	4	3	3

SUGGESTED RE-ESTABLISHMENT OF THE HOME DISTRICT ROYAL GRAMMAR SCHOOL.*

6. *Note from the Reverend Thomas Phillips, D.D., Vice-Principal of Upper Canada College, to the Chairman of the Select Committee on Education of the House of Assembly.*

The Vice-Principal of Upper Canada College begs leave to suggest to the Select Committee on Education, the absolute necessity of the re-establishment of the District (Grammar) School in the Home District, unless the present plan of the College can be so arranged as to admit pupils to attend to that branch of Education which their friends more particularly wish them to pursue.

If the District (Grammar) School is put in operation, the Vice-Principal does not see the necessity of a Preparatory School in the College.

The Vice-Principal has nothing to suggest in addition to the remarks made by the Principal, on the day that he and the Vice-Principal had the honour to attend the Select Committee of the House of Assembly.

The Vice-Principal further observes, that it would be very desirable that there should be one uniform system of Instruction in the respective District (Grammar) Schools, and that the books used should be the same as those used in Upper Canada College.

THOMAS PHILLIPS,
Vice-Principal.

UPPER CANADA COLLEGE,
December 3rd, 1832.

* The Home District School was not put into operation, as here suggested, until 1836.

AMENDMENTS TO THE CHARTER OF KING'S COLLEGE, PROPOSED IN 1832.

The following are the clauses proposed by the Select Committee of the House of Assembly, to be added to the Bill for amending the Charter of the University of King's College, which accompanied the first Report of that Committee on Education (page 77). That Bill provides that, in future, the Lieutenant-Governor, for the time being, should not be Chancellor of the University, but that such an Officer should be elected by Convocation. It also provided that the Judges of the Court of King's Bench should be Visitors of the University, instead of the Lieutenant-Governor, and that the President should not be an Ecclesiastic. The Speakers of both Houses, the Attorney and Solicitor-General, six Professors and two others, to be appointed, were to be Members of the College Council. (See next page.) The following Bill provided that Upper Canada College should be "an appendage of the University." It also defined the powers of the Chancellor, etc.

Whereas it is expedient that the Minor, or Upper Canada, College, lately erected in the Town of York, shall be incorporated with and form an appendage of the University of King's College.

Be it therefore enacted, etc., That the said Minor, or Upper Canada, College, shall be incorporated with, and form an appendage of, the University of King's College, and be subject to its jurisdiction and control.

2. *And be it enacted, etc.,* That the Principal of the said Minor, or Upper Canada, College shall be appointed by the King, during His Majesty's pleasure; and that the said Principal shall, *ex-officio*, be a Member of the Council of the University of King's College.

3. *And be it enacted, etc.,* That the Vice-Principal and Tutors of the said College, shall be nominated by the Chancellor of the University of King's College, subject to the approval, or disapproval, of the Council thereof.

4. *And be it enacted, etc.,* That it shall and may be lawful for the Chancellor of the said University, for the time being, to suspend or remove either the Vice-Principal, or Tutors, of the said Minor, or Upper Canada, College; provided that such suspension, or removal, be recommended by the Council of the said University, and grounds of such suspension, or removal, recorded at length in the books of the said Council.

DRAFT OF A BILL ON GRAMMAR SCHOOL EDUCATION IN UPPER CANADA, 1832.

This Draft of a Bill on the subject of Education also accompanied the second Report of the Select Committee of the House of Assembly in 1832. It was prepared chiefly by Mr. Mahlon Burwell, the Chairman of the Committee. It was most comprehensive in its scope, and was really intended to give system to, and infuse vigour into the administration of Educational affairs in Upper Canada. Its main feature was the calling into existence of a General Board of seventeen Educational Commissioners, including the Speakers of the two Houses of the Legislature. To this Board was to be entrusted the management of the official machinery created by the Bill; five of these seventeen persons, from a list of twenty-five, selected by the District Grand Jury, were to be appointed to act also as Trustees of the Public (Grammar) School in each District, etc.

The Bill further provided for the erection of School Houses and Teachers' Residences. Its eighteenth section also anticipated, (by more than forty years,) the provisions in the High School Act of 1874, (section ninety-eight), for the expansion of High Schools into Collegiate Institutes.

MOST GRACIOUS SOVEREIGN :

Whereas Your Majesty has been graciously pleased to place at the disposition of the Provincial Legislature, the School Lands granted by Your Royal Predecessor, King George the Third, in the year 1797, for the promotion of Education within this Province, and now remaining unalienated ; and

WHEREAS, THE EXISTING LAWS FOR THE SUPPORT AND ESTABLISHMENT OF DISTRICT AND GRAMMAR SCHOOLS, ARE FOUND INSUFFICIENT ;

Be it therefore enacted, etc., That an Act passed in the 47th year of the reign of His late Majesty, King George the Third, Chapter 16, (1807) intituled : "An Act to establish Public (Grammar) Schools in each and every District of this Province,"* and also an Act passed in the 48th year of His said late Majesty's Reign, Chapter 16, (1808)† intituled "An Act to amend an Act passed in the 47th year of His Majesty's Reign, Chapter 16, (1807) intituled : "An Act to establish Public (Grammar) Schools in each and every District of this Province," and also a certain other Act of the Parliament of this Province, passed in the 59th year of the reign of His said late Majesty‡ (1819) Chapter 4, intituled : "An Act to Repeal part of and to Amend the Laws now in force for establishing Public (Grammar) Schools in the several Districts of this Province, and to extend the provisions of the same," shall be, and the same are hereby repealed.

2. *And be it enacted, etc.,* That there shall be established in this Province a General Board of Commissioners of Education, to consist of twelve Members, together with the Trustees of the District and Grammar Schools for the several Districts, to be appointed as hereinafter mentioned, and that the Speaker of the Legislative Council and of the House of Assembly, for the time being, shall be *ex-officio* Members thereof.§

3. *And be it enacted, etc.,* That the said General Board of Education shall have the superintendence and management of all the School Lands now remaining unalienated in this Province, and shall have full power and authority to sell, lease, or otherwise dispose of them, as in their judgment may seem meet ; Provided always, that no part, or portion, of the School Lands shall, at any time, be sold for a less sum than fifteen shillings per acre.

4. *And be it enacted, etc.,* That the money arising from such sales or leases of the School Lands, shall be vested in approved securities, and the interest thereof only expended ; and it shall be the duty of the General Board of Education, and they are hereby required, annually, to divide the same equally between the several Districts that now are, or may be hereafter, formed in this Province, in proportion to the population of the said Districts respectively.

5. *And be it enacted, etc.,* That it shall and may be lawful for the Governor, or person administering the Government of this Province, for the time being, to nominate and appoint ten fit and discreet persons to constitute Members of the said General Board of Education, making the number of twelve as aforesaid, including the Speakers of the Legislative Council and of the House of Assembly.

6. *And be it enacted, etc.,* That it shall and may be lawful for the Magistrates, in General Quarter Sessions of the Peace assembled, in each and every District of this Province, at the first meeting after the next Autumn Assizes, to select from a list of twenty-five persons, presented by the Grand Jury, then and there summoned at the said Assizes (which list the Grand Jury is hereby required to furnish) five fit and discreet persons to act as Trustees for the several District (Grammar) Schools ; Provided always, that in case of a vacancy by death, or otherwise, the vacancies shall be filled up by the Magistrates, from a list given in by the Grand Jury, in the manner and form aforesaid.

7. *And be it enacted, etc.,* That the General Board of Education, consisting of twelve members, as aforesaid, and the Trustees of the several District (Grammar) Schools, and their successors, shall be one distinct and separate body corporate and politic, in deed and in name, by the name and style of the "General Board of Education for the Province of Upper Canada," and that by the same they shall have perpetual succession and a Common Seal, and they and their successors shall, from time to time, have full power to alter, revise or change, such Common Seal, at their will and pleasure, as shall be found convenient, and that by the same name, the

* See First Volume of this Documentary History of Education in Upper Canada, page 60.

† *Ibid*, page 60.

‡ *Ibid*, page 148.

§ This General Board of Education was intended to take the place of the one established in 1823, and of which, up to the time of its abolition in 1832, the Reverend Doctor Strachan was President. By the Reverend Doctor Ryerson's first School Act of 1846, (section three,) a Provincial "Board of Education" of seven members was established. By the general School Act of 1850, (section thirty-six,) a "Council of Public Instruction" of nine members took the place of this Board. In 1874, this Council was increased to eighteen members—nine of whom were elective. In 1876 it was done away with, on the retirement of the Reverend Doctor Ryerson in that year. By the Act of 1876, (39 Victoria, chapter sixteen,) the Executive Council practically took the place of the Council of Public Instruction.

said "General Board of Education for Upper Canada," and their successors, shall be able and capable to have, take, receive, purchase, hold, possess, enjoy and maintain, to and for the uses of the District and Grammar Schools of the said Province, any messuage, lands, tenements and hereditaments, of whatever kind, nature or quality soever, situate and being within the said Province of Upper Canada, so as the same do not exceed the yearly value of twenty-five thousand pounds (£25,000) currency, above all charges; and, moreover, to take, purchase, acquire, have, hold, enjoy, receive, possess and retain, all or any goods, chattels, charitable or other contributions, gifts or benefactions whatsoever.

9. *And be it enacted, etc.,* That the said General Board of Education shall have power and authority to make such rules and regulations for the good government and management of the District and Grammar Schools throughout the Province, and touching all the trusts reposed in them, as shall to them seem meet, and also, from time to time, by any new rules and regulations, to make, renew, augment, or alter, all, or every, of the said rules and regulations, as to them shall seem meet and expedient; provided always that the said rules and regulations, or any of them, shall be not repugnant to the laws of the Province of Upper Canada, or to the provisions of this Act.

10. *And be it enacted, etc.,* That the Officers of the said Corporation shall be a President, Treasurer and Secretary; the same to be chosen by the General Board of Education at their first meeting after the passing of this Act.

11. *And be it enacted, etc.,* That the President, or in his absence, the senior Member present, shall preside at the meetings of the Board, and shall have a casting vote, in case of a division.

12. *And be it enacted, etc.,* That the said General Board, or a major part of them, shall have power to make and subscribe such rules and regulations as to them shall appear needful, touching the duties of the Treasurer and Secretary, regarding the faithful performance of their respective offices, and all such other matters as appertain to the property under their charge, and for the due administration thereof, with such salaries and allowances as to them shall seem meet.

13. *And be it enacted, etc.,* That there shall be four ordinary meetings of the General Board of Education throughout the year, in the Legislative Council Chambers, on the first Wednesday of January, April, June and October, with power to adjourn from day to day, and that five Members, with the President, shall constitute a quorum for the transaction of business; Provided always, that there shall be an extraordinary meeting on the first Monday after the meeting of the Legislature in each and every year; Provided, also, that the President may call a meeting of the Board at any such time as he may see fit, giving three days' notice of the same; and as often as five Members shall request the President, in writing, to call a meeting of the General Board of Education, he is authorized and enjoined to call the same.

14. *And be it enacted, etc.,* That, until an annual income of the General Board of Education (from the interest of money arising from the sale of School Lands under their management) shall amount to five thousand pounds (£5,000) the deficiency shall be paid out of the Provincial revenue, in virtue of a warrant in favour of the Treasurer of said Board for the time being, issued by the Governor, Lieutenant-Governor, or person administering the Government of the Province for the time being, on the Receiver-General of the Province; such warrant to issue half-yearly on a requisition made by the President of the Board, countersigned by the Treasurer and Secretary, stating the deficiency of income.

SCHOOL HOUSE AND A RESIDENCE FOR TEACHER TO BE ERECTED.

15. *And be it enacted, etc.,* That it shall and may be lawful for the Magistrates of each and every District in this Province to direct that a commodious School House, and Residence for a Teacher, be built in each Town where the Quarter Sessions are held, and the expense of the same shall be defrayed out of the funds of the said District; the said School House and Residence to be erected on a uniform plan furnished to the Magistrates by the General Board of Education.

16. *And be it enacted, etc.,* That, until such School House and Residence be erected as aforesaid, no District shall be entitled to any assistance from the moneys at the disposal of the General Board of Education beyond one hundred pounds currency (£100) per annum.

PROVISION TO MEET THE CASE OF THE GRANTHAM AND BATH ACADEMIES.

17. *And be it enacted, etc.,* That it shall and may be lawful for the General Board of Education, constituted as aforesaid, on satisfactory evidence being given that an Academy has been built, and in full operation, in which the Classics and a general system of English Education are taught, and that the proprietors thereof are willing to place the same under the direction of the said Gen-

eral Board, to allow the said Institution such assistance from the funds at their disposal as shall not exceed two-thirds of the allowance given to the District Grammar School of the District within which such Academy is erected, and provided always, that such Academy be not built in the Town or place where the District (Grammar) School is kept.

ENACTMENT, ANTICIPATING THE MODERN COLLEGIATE INSTITUTES.

18. *And be it enacted, etc.*, That it shall and may be lawful for the said General Board, from time to time, as the funds at their disposal allow, to increase the means of instruction at the District (Grammar) Schools until each such School possesses two Classical Masters, one Mathematical Master, and a Teacher of Writing and Arithmetic and the ordinary branches of an English Education; and this shall be considered the maximum in the establishment of District (Grammar) Schools, beyond which it shall not be lawful for the Board as aforesaid to proceed; Provided, nevertheless, that this shall not be so construed as to restrain the said Board from allowing premiums to the best Scholars in the different Districts, at their discretion, provided the amount of such premiums do not exceed in any one year one-twentieth part of the annual income at the disposal of the said Board. (See pages 40 and 48.)

NOTE.—This eighteenth section practically laid down the principle of “Collegiate Institutes,” or a superior class of Grammar, or High Schools, which was afterwards embodied in the School legislation, (under the Reverend Doctor Ryerson’s administration,) in 1871, section 41. That section was originally drafted by the Editor of this Documentary History under special circumstances. It was somewhat modified on passing.

19. *And be it enacted, etc.*, That it shall and may be lawful for the General Board of Education to require and demand of each School, under their control and superintendence, annual returns, such returns to be signed by the Head Master of said School and by the Trustees, the form of said return to be prescribed by the General Board of Education.

20. *And be it enacted, etc.*, That it shall and may be lawful for the General Board of Education, as aforesaid, to withhold all aid from such Schools, in salaries to their Teachers, or otherwise, as shall not make regular returns to the Board as aforesaid.

21. *And be it enacted, etc.*, That the Trustees appointed under and by virtue of this Act, in each and every District of this Province, or the majority of them, shall have full power and authority to nominate fit and discreet persons as Teachers thereof, and to examine into the moral character, learning and capacity of such persons so nominated, and being satisfied, it shall and may be lawful for the said Trustees, or the majority of them, to report such their nomination, or nominations, to the Governor, Lieutenant-Governor, or person administering to Government of this Province, either to approve or disapprove of the same; Provided always, that the said Trustees, or the majority of them, shall have full power and authority, in their discretion, to remove any Teacher, or Teachers, from the Public (Grammar) School, for any misdemeanour or impropriety of conduct, subject to the approval of the General Board of Education; and it shall and may be lawful for the said Trustees, or the majority of them, in case of the demise, dismissal, or removal of any Teacher, or Teachers, of the said Public (Grammar) Schools, to nominate and appoint other discreet persons to fill the vacancies in manner and form aforesaid, subject to the like approval, as aforesaid.

22. *And be it enacted, etc.*, That the Trustees appointed under and by virtue of this Act, in each and every District, or the majority of them, shall have full power and authority to make such rules and regulations for the good government and management of the said Public (Grammar) Schools, with respect to the Teacher, or Trustees, for the time being, and to the Scholars, as in their discretion shall seem meet; Provided always, that the same be not repugnant to any rules and regulations established by the General Board of Education, or to the laws of this Province.

23. *And be it enacted, etc.*, That it shall and may be lawful for the said Board of Education, as often as the same shall appear expedient, either by their President, or one of their Members, to visit, inspect and examine any, or all, of the District and Grammar Schools under their superintendence, to enquire into their condition, system of Education and discipline, and to report the same for the information of the Board.

24. *And be it enacted, etc.*, That it shall and may be lawful for the General Board of Education, and it is hereby required, to make a Report of the Schools annually to the Governor, Lieutenant-Governor, or person administering the Government of this Province, to be by him laid

before the Legislature, embracing such information concerning the state of the District and Grammar Schools as may have come to their knowledge and may be deemed useful, together with a correct account of all disbursements whatsoever and the amount received by each School.

25. *And be it enacted, etc.,* That a regular account of all moneys received and paid by direction of the General Board shall be laid before the Inspector-General every half year, and audited in the same manner as the public accounts of other Departments, so that the same may come in regular course before the Legislature at each Session.

26. *And be it enacted, etc.,* That this Act be, and is hereby declared to be, a public Act, and that the same shall be construed as such in all His Majesty's Courts of Law in this Province.

December 14th, 1832, (continued from page 78.)—During the sitting of the House of Assembly this day, the foregoing Education Bill was read the first time, and ordered for a second reading on the next day.

Agreeably to the Order of the Day, the Petition of Mr. William Johnson and twelve others, of the Township of Georgina, in the County of York (which was laid before the House on the 12th instant), praying that a sum of money may be granted to them in support of their School Fund, was read. Mr. Jesse Ketchum, seconded by Mr. Mahlon Burwell, moves that this Petition of Mr. Wm. Johnson and others, of Georgina, be referred to the Committee on Education, which was ordered.

15th December, 1832.—Mr. William Morris, seconded by Mr. William Berczy, moved that the Second Report of the Select Committee on School Lands and Education, be referred to the consideration of the Committee of the Whole House, with the First Report of the said Committee, which was ordered. (See pages 78-82.)

17th December, 1832.—Mr. Philip Vankoughnet brought up the Petition of Mr. D. McGillis, J.P., and sixty-three others of the Eastern District, which was laid on the Table.

21st December, 1832.—Agreeably to the Order of the Day, the Petition of Mr. Donald McGillis, J.P., and sixty-three others, Magistrates, Clergymen and others of the Eastern District, praying that a Seminary may be established in the Province for the Education of Deaf and Dumb children, was read.

Mr. Philip Vankoughnet, seconded by Mr. Alexander McMartin, moves that the Petition of Mr. Donald B. McGillis, and the Magistrates, Clergy and other inhabitants of the Eastern District, praying that provision may be made for the establishment of an Institution for the instruction of Deaf and Dumb children, be referred to a Select Committee, to consist of Messieurs Christopher A. Hagerman, Solicitor-General and Mahlon Burwell, with power to report thereon, which was ordered.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant-Governor several Messages and Documents, and, having retired, the one relating to School Lands and Education was read by the Speaker, as follows :

J. COLBORNE :

The Lieutenant-Governor, with reference to the Address of the House of Assembly of the 15th November, transmits the accompanying communication from the Secretary of the Board of Education, and Returns from the Surveyor-General, showing the number of acres of the Crown Lands which were set apart originally by the Executive Government for the establishment and support of Grammar Schools and Colleges, in conformity to instructions received from His Majesty's Secretary of State for the Colonies.

J. C.

GOVERNMENT HOUSE, YORK,
17th December, 1832.

Mr. Mahlon Burwell, seconded by Mr. John Willson, moves that the Message of His Excellency the Lieutenant-Governor of this day, respecting School Lands, with accompanying documents, be referred to the Select Committee on Education, which was ordered.

NOTE.—The following tabular Returns of Reserved School Lands, sent down to the House of Assembly by Sir John Colborne, show the quantities reserved in the different Townships, and how they were disposed of, viz. : 42,000 acres to Upper Canada College ; 249,944 acres reinvested in the Crown, in lieu of grants to the University and Upper Canada College, and the rest granted to individuals.

The Return of School Lands sent to the House of Assembly by His Excellency Reservations, the number of Acres Alienated, the Lands appropriated in lieu Acres set apart for the Upper Canada College, and

Names of Dis- tricts in which were reservations.	Names of Townships in which were reservations.	Number of acres originally reserved.	Number of acres alienated.	per- Contractors' centage.	Number of acres disposable.
Ottawa.....	Alfred	25,140	25,140	None.	None.
	Plantagenet	40,000	40,000	None.	None.
Midland	Bedford	61,220	5,538	2,858	55,684
	Hinchinbroke	51,100	51,100	2,437	None.
	Sheffield	56,688	3,158	3,158	53,530
Newcastle	Seymore	47,484	47,484	3,515	None.
London.....	Blandford	20,400	6,179	1,179	14,221
	Houghton	19,000	3,102	1,505	15,893
	Middleton	35,000	24,267	1,667	10,733
	Southwold	40,500	31,619	719	8,881
	Westminster	51,143	41,943	1,218	9,200
	Yarmouth	20,000	8,110	1,026	11,900
Home	*Java	12,000	12,000	.....	None.
	*Luther	66,000	66,000	.....	None.
	*Sunnidal	38,000	38,000	.....	None.
	*Osprey	50,000	50,000	.....	None.
	Merlin	40,000	28,312	.....	11,688
	*Proton	66,000	.....	.....	66,000
London.....	Warwick	600	.....	.....	600
Total quantity disposable .....		.....	.....	.....	258,330

* The Surveyor-General, in his note appended to this Return and dated 10th of December, 1832, states ships of Alfred, Plantagenet, Bedford, Houghton,

the Lieutenant-Governor, on the 17th of December, 1831. It showed the original thereof, the percentage granted to Contractors for Surveying, the number of the quantity of land which still remained disposable.

Alienated Lands,—how disposed of and to whom.	Remarks on the character of the land reserved.
Granted to individuals. Granted to individuals.	
2,680 acres granted to individuals.....	Rocky.
48,663 acres reinvested in the Crown, in lieu of lands granted to the University	Good land.
{ 25,000 acres granted to Upper Canada College. 18,969 acres reinvested in the Crown, in lieu of scattered lots granted to the Upper Canada College.	
5,000 acres granted to Upper Canada College.....	Good land.
1,597 acres granted to individuals, 600 acres of which have been reserved in the Township of Warwick.....	Good land.
22,600 acres granted to individuals.....	Sandy.
30,901 acres granted to individuals	Good land.
40,725 acres granted to individuals	Good land.
7,084 acres granted to individuals.....	Good land.
12,000 acres granted to Upper Canada College.	
Reinvested in the Crown in lieu of lands granted to the University. Reinvested in the Crown in lieu of lands granted to the University. Reinvested in the Crown in lieu of lands granted to the University.	
{ 23,281 acres reinvested in the Crown in lieu of lands granted to the University	Not surveyed, but supposed to be good.
{ 5,031 acres reinvested in the Crown in lieu of lands granted to the Upper Canada College.....	
.....	Not surveyed, but supposed to be good.
Reserved for lands granted in Houghton.....	Good land.

that the Townships marked with a (*) were substituted in lieu of lands granted to individuals in the Town-Middleton, Southwold, Westminster and Yarmouth.

NOTE.—The following letter (to the Lieutenant-Governor's Secretary) from the Honourable George H. Markland, Secretary to the General Board of Education, accompanied this Return. It calls attention to the annexed statement of Surveyor-General S. P. Hurd, showing how the original Royal Grant of Lands in 1797, for Free Grammar Schools and a University, was disposed of.

From the accompanying Documents which have been prepared for the information of His Excellency the Lieutenant-Governor, it will appear that the original reservation of land for the purposes of Education amounted to 467,675 acres, of which 170,719 acres were alienated by grants to individuals, and in lieu thereof 272,600 acres were appropriated to a similar purpose, giving a surplus over and above the quantity deficient of 101,881 acres.

There were also alienated as a percentage to Surveyors, 19,282 acres.

Since the reservation before alluded to, 225,944 acres of it have been reinvested in the Crown in lieu of scattered Reserves granted as an endowment to the University of King's College, and 60,000 acres have been set apart for the benefit of Upper Canada College, after which deductions there remains at the disposal of such person or persons as may be appointed for the sale thereof, 258,330 acres.

GEORGE H. MARKLAND.

YORK, 14th December, 1832.

1. MEMORANDUM ON THE DISPOSITION OF THE ORIGINAL ROYAL GRANT OF 1797.

	Acres.	Acres.
The original School Townships of Alfred, Plantagenet, Bedford, Hinchinbroke, Sheffield, Seymour, Blandford, Houghton, Middleton, Southwold, Westminster and Yarmouth, were computed at 549,217 acres, but actually contained only		467,675
Alienated from the above for Surveyor's percentage	19,282	
Alienated by Grants to individuals	170,719	
The Townships of Java, Luther, Sunnidale, Osprey, Merlin and Proton, made School Townships in lieu of the above alienations, contain		272,000
Also reserved in the Township of Warwick		600
		<hr/> 740,275
Reinvested in the Crown in lieu of lands granted to the University	225,944	
Reinvested in the Crown in lieu of lands granted to the Upper Canada College	66,000	
		<hr/> 481,945
School lands disposable		<hr/> 258,330

2. MEMORANDUM GIVING DETAILS OF LANDS GRANTED TO THE UPPER CANADA COLLEGE.— 66,000 ACRES.

25,000 Acres in the Township of Seymour.
 18,969 Acres in scattered lots, for which a like quantity is reinvested in the Crown in the Township of Seymour.
 5,000 Acres in the Township of Blandford.
 12,000 Acres in Township of Java.
 5,031 Acres in scattered lots, for which a like quantity is reinvested in the Crown in the Township of Merlin.

66,000 Acres.

3. MEMORANDUM OF LANDS GRANTED TO THE KING'S COLLEGE UNIVERSITY.

Under Patent Deed

225,944 acres.

4. MEMORANDUM OF LAND ALIENATED TO VARIOUS INDIVIDUALS.

	25,140 Acres in the Township of Alfred.	
	40,000 " " Plantagenet.	
	2,680 " " Bedford.	
Alienated in these five	1,597 " " Houghton.	
Townships, 102,906	22,600 " " Middleton.	
Acres	80,900 " " Southwold.	
	40,725 " " Westminster.	
	7,084 " " Yarmouth.	
	<hr/>	
	170,719	

5. SUMMARY MEMORANDUM OF THE FOREGOING.

Alfred and Plantagenet were thrown open for general location under Governor Gore, containing about 65,000 Acres, which amount is included in the 170,719 alluded to, leaving 105,719, which have been taken from the original School Townships.

University	225,944	Original intention	549,217
U. C. College	66,000	Deduct for University and U. C. College.	291,944
	<hr/>		
	291,944	Difference	257,273

6. MEMORANDUM ON THE BALANCE OF MONEYS AT THE DISPOSAL OF THE GENERAL BOARD OF EDUCATION.

On the 9th of January, 1833, in a letter to Mr. Burwell, Chairman of the Select Committee on Education of the House of Assembly, the Honourable Joseph Wells, Ex-Treasurer of the General Board of Education, said :

As late Treasurer of the General Board of Education, I beg leave to acquaint you that the amount which I shall have to pay in to the Receiver-General, as funds of the late Board, will be about £7,000, one half of which is forthcoming instanter, and the remaining half as soon as the moneys which I am daily receiving, as the further instalments on Sales of Lands of the University of King's College, shall enable that Institution to assume (as arranged) the whole of the debt due from the Upper Canada College to the funds of the late General Board of Education for sums borrowed therefrom to defray the cost of its Buildings, the greater part of which has been already paid by the University out of the produce of its Sales of Lands, and the remainder of the debt due to the late General Board of Education will, I have no doubt, be forthcoming before the new arrangements, which the Legislature is about to enact, can require the disbursement of its amount, etc.

CONTINUATION OF THE EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY IN 1833.

3rd January, 1833.—Mr. William B. Jarvis gives notice that he will, on to-morrow, move for leave to bring in a Bill to authorize the Lieutenant Governor of this Province to issue warrants on the Receiver-General, in favour of the Treasurers of certain Districts, for arrears of money respectively due to such Districts for Common Schools.

14th January, 1833.—Mr. Secretary Rowan brought down from His Excellency, the Lieutenant-Governor, a Message, and having retired, it was read by the Speaker as follows :

J. COLBORNE :

The Lieutenant-Governor transmits to the House of Assembly, such Reports of District (Grammar) and Common Schools as have received since last Session. (See appendix to the Journal of the House of Assembly for 1832-33, pages 210-212, viz.: The Eastern, Ottawa, Midland, Newcastle, and Home Districts.

J. C.

GOVERNMENT HOUSE, YORK,
14th January, 1833.

THIRD REPORT OF THE SELECT COMMITTEE ON EDUCATION, 1833.

This Third Report of the Select Committee of the House of Assembly on Education is devoted entirely to a financial review of the condition and prospects of the Grammar and Common Schools in the future.

The Committee censure the Executive Government and the King's College Council for devoting so much of the proceeds of the original Royal Grant to the establishment and maintenance of the "Minor College," as they call it, and which the Committee consider as not at all "necessary, and, certainly" as "never contemplated by His Majesty, when granting a Charter and endowment to the University."

The Report points out how exceedingly parsimonious the Legislature has been in dealing with the Grammar and Common Schools. It illustrates this parsimony by showing that "in some Districts not more than four or five pounds can be justly given to any one Teacher;" and that less is granted by the Provincial Legislature for educating the youth of three hundred thousand people than is required to defray the contingent expenses of one Session of Parliament," or "one shilling per annum for each scholar!"

The Committee appeals to the House not any longer to "suffer a pittance so miserably small, so unjust and unequal in its distribution, and of so little benefit, any longer to exist." The inequality in the distribution of the small appropriation is shown by reference to the fact that the Midland District, with its population of forty thousand, only gets the same grant (£250) as the Ottawa District, with a population of only five thousand.

The Committee strongly endorse the proposal made by Mr. Mahlon Burwell and Dr. Charles Duncombe, (Members of the House of Assembly,) in December, 1831, and January, 1832, that an appeal should be made to His Majesty for a grant of one million acres of Crown Lands as an endowment for Common Schools in the future. (See pages 109 and 111.)

In these three elaborate Reports, the Committee on Education have embodied the result of many discussions on school matters, and the suggestions which had been made from time to time by Members of the Legislature during its sessions, and in Memorials addressed to it by various parties.

18th January, 1833.—Mr. Mahlon Burwell, from the Select Committee to which was referred the subject of Education, informed the House that the Committee had agreed to a Third Report, which he was ready to submit, whenever the House would be pleased to receive the same. The Report was received and read as follows:

To the Honourable the Commons House of Assembly:

In submitting this, their Third Report on Education, your Committee find that it only remains for them to invite the attention of your Honourable House to the resources, or financial means, within the reach of the Legislature for the support of Public Instruction, in order to consolidate and complete their labours.

2. Before entering upon this subject, your Committee beg leave most respectfully to premise that the measures now before your Honourable House deserve, in their opinion, the most liberal support.

3. These measures are founded on the true principles, on which the education of the population of any country ought to rest,—part endowment, and part contributed by the people,—principles which the most enlightened men of the present age have advocated and adopted.

4. Your Committee feel persuaded, that should these measures become the law of this land, with such modifications as your Honourable House, on further consideration, may deem necessary, they will form one of the most simple, complete and efficient systems of public instruction which has ever been put in operation.

5. *Firstly.* At first, your Committee directed their attention to the amount for the education of our numerous population, charged at present on the Provincial Revenue, and they find, from the Laws and the Public Accounts, that the sum of one thousand one hundred pounds (£1,100) is paid as salaries to the School Masters of eleven District (Grammar) Schools, and two thousand nine hundred pounds (£2,900) for Common Schools, in all four thousand pounds (£4,000)—a sum not equal to the contingent expenses of the Legislature for a single session ; or the expense of four ordinary Grammar Schools for one year.

6. Your Committee feel it to be their duty, most earnestly and anxiously, to draw the attention of your Honourable House to the astounding fact, that less is granted by the Provincial Legislature for educating the youth of three hundred thousand (300,000) people, than is required to defray the contingent expenses of one Session of Parliament.

7. To place this in a point of view more striking, it may be observed, that one-third of the population of any country are subjects of School Education ; but allowing only one-fourth, we have an allowance from the Provincial Treasury of four thousand pounds (£4,000) for educating seventy-five thousand (75,000) children, a little more than one shilling per annum for the instruction of each Scholar—a provision so pitiful—so miserable, for this most important of all objects, cannot fail, when thus presented, of exciting astonishment ; and when contrasted with the vast sums expended by other countries in support of public instruction, reflects no credit on this Province.

8. This parsimony, on the score of Education, appears the more extraordinary when compared with the liberal measures which have, from time to time, been adopted for the improvement of the country ; and for which an annual charge, in the shape of interest for debt, is provided for to the amount of more than eight thousand pounds (£8,000) and this charge, considerable as it is, will, in all probability, be much increased during the present Session.

9. Your Committee, in making these remarks, beg leave to state that they are far from estimating lightly any improvement of the Province, respecting Roads, Railways, Harbours and Canals, but they must be allowed to affirm without hesitation, or the possibility of rational contradiction, that the first duty of all good Governments is, and ought to be, the proper instruction of the people ; and that no expense, which the public revenue can possibly bear, is too much for the accomplishment of this, the most precious of all objects.

10. How indeed can useful improvements be promoted—the resources of the Province developed—its wealth increased—or its character elevated, if we continue to keep back the blessings of knowledge, and neglect to foster sound learning and scientific attainment ?

11. *Secondly.*—From this wretched appropriation, so inadequate to the object proposed,—and so little in accordance with the liberal spirit of the passing age,—your Committee proceeded to examine into the matter of the lands set apart since 1797, for the support of a University and Free Grammar Schools, and find, that, owing to causes over which the Government had no control, they have remained to the present time, in a great measure, unproductive.*

12. The progress of the Colony was for many years so slow, and the value of the lands continued so trifling, that the Legislature deemed it absolutely necessary to establish a Grammar School in each District, and providing for the Master of each annual salary of one hundred pounds (£100) currency.

13. To this present time the lands have afforded no aid to the District (Grammar) Schools, though a small sum, raised by the sale of a portion of these lands, as will be afterwards noticed, may be now applied to their benefit.

14. Your Committee are willing to hope that the School Lands had been providentially retained until the growing prosperity of the Province, and its rapidly increasing population, had caused such a rise in their value, as would make it easy to place the District (Grammar) Schools almost immediately, on a very efficient footing, without having recourse to the Provincial Revenue ; but in this your Committee experienced great disappointment, for of the three hundred and twenty-four thousand (324,000) acres which the Legislature may justly assume as the quantity at their disposal, for the support of Grammar Schools, a small portion only appears good ; for, as the Report of the Executive Council, in April, 1831, justly states, the original reservation was an injudicious selection,—the lands being in general indifferent, and much totally unfit for cultivation.

15. Here it may be proper to remark, that your Committee do not recognize any deduction for deficiencies, in the actual admeasurement of the Townships originally appropriated, or the alleged percentage for survey, or for the endowment of Upper Canada College, since they are persuaded that a respectful representation to His Majesty, (if it cannot be at once done by the Provincial Government,) will restore the gift to what was at first intended, without any diminution whatever.

* The financial reason of the unproductiveness of these lands is given in the Report of the Executive Committee in April, 1831. See pages 44-46.

16. In order, however, to set this matter at rest, it is respectfully recommended that an humble Address be presented to His Majesty, praying that he would be graciously pleased to direct the appropriation of lands to be made up to its original amount, with no other deduction than that for the University, and that all bad lots be exchanged, either for Crown Reserves, not already sold, or for such other Crown Lands as are good and available.

17. In accordance with this view, your Committee submit the draft of what they conceive to be a suitable Address.

18. To the prayer of this Address your Committee anticipate no objection, for a similar exchange has already been acceded to by His late Majesty, in respect to the University of King's College, authorizing that Crown Reserves, not already appropriated, should be given in exchange for an equal quality of School Lands*—these Reserves were found immediately marketable, and, as appears from documents on the Journals of your Honourable House, a considerable portion has been sold for the benefit of King's College, at an average price which exceeds one pound currency per acre.†

19. Your Committee do not conceive that an exchange so favourable can be now made—but they hope nearly so, or, at all events, sufficient to produce an increasing income, so as gradually to relieve the Provincial Revenue from any charge that the Legislature may think proper to impose, in order to render the District (Grammar) Schools more efficient and more adequate to the growing wants of the Province.

20. It appears from the answer of Colonel Joseph Wells, Bursar of King's College, and the Treasurer of the Minor, or Upper Canada, College, that some portions of School Lands have been sold, and the proceeds given in loan to that institution. (See page 94.)

21. The particular sum is not stated, but it is undoubtedly at the disposal of the Legislature.

22. In regard to its appropriations, your Committee most respectfully recommend that, on ascertaining its exact amount, which perhaps may be about ten thousand pounds (£10,000), it be invested in good securities, and the income annually divided among the District (Grammar) Schools, agreeable to such provisions as to your Honourable House may seem meet.

23. It further appears, from evidence and documents on the Journals of your Honourable House, that Minor College is greatly indebted to the University of King's College.

24. This fact obtruding itself on the notice of your Committee, they consider it their duty to bring it under the notice of your Honourable House.

25. No steps have been taken to prepare the University of King's College for receiving pupils for instruction in the Arts and Sciences, which might certainly have been done, as they involve no questions of religious difficulty.

26. Nor has any progress been made in erecting the necessary buildings, that the business of instruction might begin so soon as the Charter is amended, and yet the growing funds have been spent in supporting an Institution, which, however useful it may, in time, become, does not appear to your Committee to have been necessary, and, certainly, was never contemplated by His Majesty, when granting a Charter and Endowment to the University.

27. How far the College Council is legally authorized to expend their funds for any other purpose than for promoting the object for which the Charter and Endowment were granted by the King, your Committee presume not to determine; but, with every respect for the Members of that Council, they feel no hesitation in expressing their decided disapprobation of such a mode of proceeding.

28. Nor do they believe it to be regular, or justified by precedent, but on this point they refer to His Majesty's Attorney-General, (Henry John Boulton,) who is not only a Member of the College Council, but also of your Honourable House. (See page 111.)

29. It is indeed stated in the Treasurer's Evidence (page 94) that such disbursements are secured on the endowment of Minor College, but is such security sufficient? And can the money, so invested, be repaid the moment it may be wanted? Repayment seems, in truth, hopeless; for the endowment of Minor College appears to yield as yet no revenue whatever; hence, the recommendation of your Committee in their Second Report to annex Minor College, without delay, to the University of King's College as an integral part of the same, is no longer a matter of choice, but of necessity; for it cannot otherwise exist; but when it becomes a part of the University of King's College, its financial concerns will come under the cognizance of the College Council, and its future support will be placed on such a scale, and on such a permanent foundation, as they may find just and expedient.

*Documentary History of Education in Upper Canada, Volume I., pages 203, 204, 205. †*Ibid*, page 317.

30. In concluding this part of their Report, your Committee most respectfully recommend that the sum of three thousand three hundred pounds (£3,300) be appropriated annually for the support of Grammar Schools, to be lessened, as the fund arising from the sale of School Lands shall increase.

31. This sum, with eleven hundred pounds (£1,100) already appropriated by law, and six hundred pounds (£600), the presumed increase from the capital produced by lands sold, make up an aggregate of five thousand pounds (£5,000), the sum suggested as necessary by your Committee in their Second Report. (See page 80.)

32. *Thirdly.*—When the law for the establishment of Common Schools was passed in 1816, it embraced an annual grant of six thousand pounds (£6,000) for their support, a grant which, considering the scanty population of the Province, and the smallness of the revenue, was extremely liberal, and, in the opinion of your Committee, highly honourable to the Legislature of that period.

33. Regard was also had in its distribution to the population of the several Districts, by which means a greater degree of equality was preserved in the supply of their wants, and the District Boards of Education were enabled to assign to each of the Masters of the Common Schools employed, such a salary as made it worth the while of competent Teachers to apply for Schools. The maximum salary being so high as £25.

34. Unfortunately, this Act was limited to four years' continuance, and, when renewed in 1820, several amendments were introduced, which detracted very much from its value.

35. Among others, that of reducing the appropriation from six thousand pounds (£6,000) to two thousand five hundred pounds (£2,500); and, what is still more to be deplored, no attention was paid to population and extent of Districts, but two hundred and fifty pounds (£250) was given to each District.

36. Since 1820, the District of Bathurst has been added; consequently the annual appropriation for Common Schools amounts to two thousand seven hundred and fifty pounds (£2,750), and one hundred and fifty pounds (£150) for books,—in all two thousand nine hundred pounds (£2,900), (as given in paragraph five of this Report, page 107).

37. These District Common Schools have deteriorated since the reduction of the annual appropriation for their support.

38. In some of the Districts, not more than four or five pounds can be justly given to any one Teacher, and, should there be no remedy next year, the grant will admit of only two or three pounds each, which would be something like a mockery.

39. Under the present law, the District of Ottawa, with its five thousand (5,000) inhabitants, receives as much for the support of its Common Schools as the Midland District with its forty thousand (40,000) inhabitants.

40. It appears to your Committee quite impossible, that your Honourable House, now that the matter is brought fully under your consideration, will suffer a pittance so miserably small, and so unjust, and unequal in its distribution, and of so little benefit, any longer to exist, and that your Honourable House will feel it an imperative duty to legislate on the subject of Common Schools during the present Session.

41. As the Provincial revenue has greatly increased since 1820, and the population nearly trebled, a much larger appropriation can well be afforded, and, from the facts stated, it is absolutely necessary; and should it bear any proportion to the sums advanced, in addition to other resources which may be derived from District Assessments and School Dues, the increased appropriation will raise the standard of Common Schools and render them as efficient as may be required.

42. One obvious source of endowment noticed in the Common School Bill, and which was proposed by one of your Committee last year, but not followed up, owing to his sickness, ought not to be lost sight of, namely, a distinct grant of land for the benefit of Common Schools.

43. In all the neighbouring States of the Union lands have been appropriated for this purpose, besides a money fund of nearly two millions of dollars (\$2,000,000), and large annual appropriations; the State of New York has still about eight hundred and ninety thousand (890,000) acres of land, remaining of a larger quantity, from which they increase, by judicious sales, the Common School fund.

44. On this subject, your Committee most respectfully recommend, that an humble Address be presented to His Majesty praying that His Majesty will be graciously pleased to grant one million of acres (1,000,000) of the waste lands of the Crown, for the maintenance and support of Common Schools; and the Committee beg leave to submit the draft of an Address to that effect.

45. In the meantime, your Committee recommend that the present annual grant be increased to twelve thousand five hundred pounds (£12,500), to be diminished as the revenue from the interest arising from the sales of any lands granted to their application increases ; or, should other demands on the public treasury render it necessary and expedient.

GREAT ADVANTAGES RESULTING FROM, FOR THE EDUCATION OF THE PEOPLE OF THIS PROVINCE.

46. Before closing their report, your Committee deem it important to state, that the sum which they recommend to be supplied from the Provincial revenue in support of the system of Education, which they have prepared, can only seem large when compared to the present trifling appropriation, and must be allowed to be very small when contrasted with the liberal provision made for Education by the most enlightened States of Europe and America ; and such provision is not like other investments, of slow and uncertain return, or of temporary advantages, but it returns ten thousand fold, for it produces an intelligent and moral population.

47. Trained from their infancy in the habits and discipline of good Schools, such a population acquires a turn for observation, and a desire for mental improvement. Their views also extend beyond the circle of objects and conceptions of those who are imperfectly instructed, a population of this kind receives new accessions of knowledge, the minds of individuals in it expand, and they become capable of appreciating, supporting and enjoying the privileges of rational liberty.

48. The inhabitants of the Province are looking with anxiety for the result of the labours of your Honourable House during this Session in favour of Education.

49. They know that, in other countries, the greatest exertions are now being made for the instruction of the people, and that among tradesmen and mechanics habits for the study of science are growing up, which are truly praiseworthy and delightful.

50. They cannot believe that Upper Canada will be suffered any longer to remain a solitary and deplorable exception to the general improvement.

51. In a country like this, blessed with free institutions, a fertile soil, and salubrious climate, and where the labour of the husbandman is rewarded by an abundant return, no exertion, expense, or labour, should be spared in forming an enlightened population ; for nothing can so effectually produce their permanent good and raise them so certainly to wealth and comfort, and no other legislative measure can add so much to the honour and glory of the Province. All of which is most respectfully submitted.

MAHLON BURWELL,
Chairman of the Committee.

COMMITTEE ROOMS, COMMONS HOUSE OF ASSEMBLY,
15th January, 1833.

Appendix to Third Report of Select Committee on Education.

1. Draft of an Address from the Commons House of Assembly of Upper Canada to the King, praying the deficiency in the original Royal grant for Free Grammar Schools and a University (as set forth on page 107,) be made up.

MOST GRACIOUS SOVEREIGN :

We your Majesty's most dutiful and loyal subjects the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled, beg leave to approach your Majesty with our most gracious consideration in granting our prayer made during the last Session, that the School Lands should be placed at the disposal of the Legislature, to be applied exclusively to the purposes intended by your Majesty's Royal father.

That, on examining into the present state of these lands, we find that instead of 324,000 acres, the quantity that ought to have remained, after deducting the endowment of the University of King's College from the original reservation, only 258,330 acres are to be found, leaving a deficiency of sixty-six (66,000) thousand acres.

We beg leave further to represent, that the selection of the lands proves to have been injudicious ; the greater part being badly situated, much of it indifferent as to quality, and much totally unfit for cultivation, so that very little can be expected from them towards the support of Grammar Schools. (See page 44.)

Under these circumstances, we most humbly implore that your Majesty will be most graciously pleased to direct that the appropriation of School Lands be restored to its original quantity, admitting no deduction whatever, but that of the endowment of the University of King's College, and that such portions as are found bad or indifferent, or unfavourably situated, be exchanged for Crown Reserves, not already disposed of, or for such other Crown Lands as are available.

2. Draft of an Address to the King, praying that a grant of one million (1,000,000) acres of Crown Lands be made for the establishment and support of Township Common Schools. (See pages 37, 50, 51, 53 and 71.)

MOST GRACIOUS SOVEREIGN :

We your Majesty's most dutiful and loyal subjects, the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled, beg leave to approach your Majesty in the humble but confident assurance that the paternal affection which your Majesty has exhibited towards this flourishing colony, will induce your Majesty to receive, in a favourable manner, this our earnest supplication respecting a matter upon which, above all others, its prosperity and happiness chiefly depend.

We beg leave, most humbly, to represent to your Majesty that at a very early period the attention of the Provincial Legislature was most earnestly turned to the devising of measures for effectually promoting the education of the people, and in pursuance of this object, they prayed your Majesty's Royal Father, of illustrious memory, for a grant of land to enable them more easily to establish a general plan of public instruction; their prayer was most graciously answered and an appropriation was made, in order to produce a fund for the establishment and support of a respectable Grammar School in each District of the Province; and also, of a College or University for the instruction of youth in the different branches of liberal knowledge, an appropriation which daily reminds us of the paternal Government of your Majesty's illustrious House.

We beg leave further to represent to your Majesty that this appropriation having been specially directed towards the establishment of a University and Grammar Schools, to which without Legislative aid, it is not at present sufficient, no part can be directed towards the support of Common Schools:

That, deeply sensible of the benefit of dispensing knowledge among the people, the Legislature for the last sixteen years has appropriated large portions of the revenue of the Province towards this laudable purpose, but being an inland country the revenue is, and must ever continue to be, comparatively small, and the rapid increase of the population, and the hardships incident to first settlements, make all that can be spared totally inadequate to the object intended.

We are therefore emboldened to submit to your Majesty's favourable consideration the propriety of granting an additional appropriation of one million (1,000,000) of acres of the waste lands of the Crown in this Province.

We beg leave further to represent to your Majesty that such an appropriation judiciously managed might in time produce a very considerable income in aid of such grants as may be made from the Provincial revenue, and such special assessments as may be imposed upon the people for the education of their children, and thus relieve them from a portion of the burthen which now bears very hard upon their limited means.

We beg leave further to represent to your Majesty that far greater appropriations, in proportion to the extent and population of the countries, for the purposes of Education than that now prayed for, have been almost universally made in the neighbouring States of America, and add much to the intelligence and consequently to the wealth and happiness of their inhabitants.

We therefore venture to hope that your Majesty will be graciously pleased to direct the Provincial Government to set apart one million of acres as prayed for to form a fund for the support of Common Schools throughout this loyal, extensive and magnificent Province.

18th January, 1833.—Mr. Mahlon Burwell, seconded by Mr. John Willson, moves that five hundred copies of the Third Report of the Committee on Education be printed for the use of Members.

In amendment, Mr. Attorney-General, H. J. Boulton, seconded by Mr. William Berczy, moves that the whole be expunged, after the word "moves," and the following inserted: "That the report just received be referred back to the Committee, with a special instruction to enquire into the grounds of the charge against the Attorney-General, contained therein, and to report the evidence thereon to the House." (Paragraph number 28; see page 108.) On which the yeas and nays were taken as follows: Yeas 2; nays, 32. The question was decided in the negative, by a majority of thirty. The original question was then put and carried.

Mr. Mahlon Burwell, seconded by Mr. John Willson, moves that this House do, on Friday next, resolve itself into a Committee of the Whole on the Third Report of the Select Committee, to whom was referred the subject of Education, and the School Lands.

In amendment, Mr. William Morris, seconded by Mr. Alexander Fraser, moves that the whole be expunged, after the word "moves," and that the following be inserted: "That the Third Report of the Select Committee on School Lands and Education, together with the statement of School Lands sent down by His Excellency the Lieutenant-Governor, be referred to the consideration of the Committee of the Whole House, on the First and Second Reports of the same Committee." On which the yeas and nays were taken as follows: Yeas, 24; nays, 7. The question of amendment was therefore carried in the affirmative, by a majority of seventeen. The original question as amended was then put and carried as follows:

"Ordered, that the Third Report of the Committee on School Lands and Education, together with the Statement of School Lands sent down by His Excellency the Lieutenant-Governor on the 17th of December, 1831, page 102, be referred to the consideration of the Committee of the Whole House on the First and Second Reports of the same Committee." (Pages 76 and 78.)

NOTE.—The House did not go into Committee of the Whole on these Reports or Statements of School Lands, and nothing further was done with them during this Session.

19th January, 1833.—Mr. Secretary Rowan brought down from His Excellency the Lieutenant-Governor, a Message, with several Documents, and having retired, the Speaker read the Message as follows:

J. COLBORNE:

The Lieutenant-Governor transmits for the information of the House of Assembly, a Despatch, dated the 8th of November, 1832, containing the opinion and comments of His Majesty's Secretary of State for the Colonies, upon the subject of the grievances said to exist in this Province, and for the redress of which various Petitions have been addressed to His Majesty, and referring to the accompanying statements communicating to the Secretary of State by Mr. W. L. Mackenzie.

J. C.

GOVERNMENT HOUSE,

YORK, 19th January, 1833.

NOTE.—That part of this Despatch from His Majesty's Secretary of State for the Colonies, relating to the subject of Education in Upper Canada, is as follows:

During several months past I have been in occasional communication with Mr. William Lyon Mackenzie, upon the subject of the grievances said to exist in Upper Canada, and for redress of which various Petitions have been addressed to His Majesty. . . .

The great object of Mr. Mackenzie's censure is the Election Law, which was passed by the Lieutenant-Governor, Legislative Council and House of Assembly of Upper Canada, in the year 1820. . . .

. . . In regard to the representation of the University in the House of Assembly . . . it is further objected that the law of 1820 placed the projected University in the list of constituent bodies, and from the terms of the charter subsequently issued, it is inferred that the University was to become what is termed, "a nomination borough, under the especial patronage of the Church and State."

I should scarcely have anticipated that any man, and least of all a man devoted to literary pursuits, would have denied the propriety of giving a representation to the principal seat of Learning in the Province.

It would be superfluous to expatiate on the importance of institutions for the education of youth in literature, science and religion, especially in a newly settled country, and I am assured that neither in the Council, or Assembly, could a single gentleman be found who would not gladly receive as a colleague, a person representing the collective body of literary and scientific men in Upper Canada, or who would not gladly support, by that distinguished honour, the cause of sound learning.

You will observe that I do not here refer to an University constituted in the manner proposed by the original charter of incorporation.

Every man in Canada, however, knows, nor could Mr. Mackenzie have been ignorant, that so far from any anxiety having been felt by the King's Government to maintain that charter against the wishes of the great majority of the people, every possible measure has been taken to refer to their representatives the decision of the question, in what form and upon what principles the College should be founded.

It is indeed Mr. Mackenzie's fortune to be opposed to a large majority of the House of Assembly; but it can scarcely be expected that in deference to any individual, or to the small,

though respectable, minority for whom he acts, the King's Government should entertain the slightest distrust of the wisdom or fairness of the resolutions which it may be the pleasure of the Assembly to adopt on this, or any other subject. . . .

It is represented that with a view to raise up and multiply the friends of arbitrary and exclusive principles, persons in authority, in and out of the House of Assembly, resist all plans of general Education, and that places of Learning are established only for the children of those who hold Government offices, and a few other influential and wealthy individuals. . . .

His Majesty directs me to instruct you to forward to the very utmost of your lawful authority and influence every scheme for the extension of Education amongst the youth of the Province, and especially amongst the poorest and most destitute of their number, which may be suggested from any quarter, with a reasonable prospect of promoting that great design. All minor distinctions should be merged in a general union for this important end ; and that the head of that union, the Local Government, should be found encouraging and guiding, and, to the utmost of its power, assisting all the efforts which may be made to create, or to foster, a taste for intellectual enjoyments and pursuits. A large portion of the unappropriated wilderness has already been set apart for the purpose. If any other system of local assessment for the building of School Houses, and the maintenance of Teachers, should be thought desirable, your assent will, of course, be cheerfully given to any such law. Or, if the Provincial Legislature should be of opinion that such funds would be more advantageously raised by a general duty, of which they would retain to themselves the specific appropriation from year to year, I should hail with the utmost satisfaction the enactment of a Statute of that nature. This, however, is a subject involving so many and minute details, that it is of course, impossible for me to advance beyond the expression of a general, but most earnest solicitude for the furtherance of the cause of Education, in its most comprehensive sense, in Upper Canada, etc.

GODERICH.

DOWNING STREET,
8th November, 1832.

25th January, 1833.—Agreeably to the Order of the Day, the Bill submitted by the Select Committee on Education, to amend the Charter of King's College, was read the second time, and referred to a Committee of the Whole House, together with the First, Second and Third Reports of the Select Committee on Education. Mr. Charles Duncombe was called to the chair. (See pages 77 and 97.)

The Speaker having resumed the Chair, Mr. Duncombe reported that the Committee had risen for want of a quorum.

26th January, 1833.—Agreeably to the Order of the Day, the House went again into Committee of the Whole, on the Bill to amend the Charter of King's College, together with the First, Second and Third Reports of the Select Committee on Education. Mr. Charles Duncombe was called to the chair.

The Speaker having resumed the Chair, Mr. Duncombe reported progress, and obtained leave to sit again on Monday next.

(NOTE.—The Committee did not sit again during the session, so that the Bill failed to pass. It was, however, taken up again during the next and following Sessions, and was passed in the latter session of 1835.)

2nd February, 1833.—The Speaker reported that the Chairman, from the Committee of Supply, had submitted a series of Resolutions for the adoption of the House.

The following Resolutions relating to Education were then severally put and carried :

30. *Resolved*, that the sum of twenty thousand pounds (£20,000) be appropriated to Grammar Schools in the several Districts as follows :

				Halifax currency.
To the Ottawa District the sum of				£1,000
" Bathurst	"	"		1,900
" Eastern	"	"		1,900
" Johnston	"	"		1,900
" Midland	"	"		2,200
" Newcastle	"	"		1,900
" Home	"	"		1,900
" Gore	"	"		2,000
" Niagara	"	"		1,600
" London	"	"		2,000
" Western	"	"		1,700

£20,000, or \$80,000

On which the yeas and nays were taken as follows : Yeas, 36 ; nays, 2, (Messieurs Archibald Macdonald and Philip Vankoughnet). The question was thus carried in the affirmative by a majority of 34.

21. *Resolved*, that for the promotion of Education there be granted for the ensuing year, and the year one thousand eight hundred and thirty four, the sum of five thousand six hundred and fifty pounds for each year, (£5,650,) to be divided among the several Districts, and to be applied in the same way, together with the present sums for Common Schools, granted by Act of Parliament :

				Halifax currency.
To the Ottawa District the sum of.....				£100
" Eastern " "				500
" Johnston " "				500
" Bathurst " "				500
" Midland " " (including £200 for Prince Edward)				750
" Newcastle " "				500
" Home " "				750
" Gore " "				600
" Niagara " "				500
" London " "				600
" Western " "				350

£5,650 or \$22,600

This Resolution was carried by a vote of 19 to 6 ; majority, 13.

4th February, 1833.—The Honourable Mr. H. J. Boulton, Attorney-General, from the Select Committee appointed to draft Bills in conformity to resolutions relating to Grammar and Common Schools, adopted by the House, as reported by the Committee of Supply, presented the following Bills, viz : A Bill of Supply in aid of Common Schools, (for \$22,600). This Bill was read the first time, and ordered for a second reading to-morrow.

5th February, 1833.—Agreeably to the Order of the Day, the Bill of Supply, granting an additional sum of money for the benefit of Common Schools was read a second time and referred to a Committee of the Whole House. Mr. Philip Vankoughnet was called to the chair.

The House having resumed Mr. Vankoughnet reported the Bill as amended. The Report was received, and the Bill was ordered to be engrossed and read a third time to-morrow.

6th February, 1833.—Agreeably to the Order of the Day, the Bill granting additional aid to the Common School Fund, was read a third time.

Mr. John Willson, seconded by Mr. Hugh C. Thomson, moves that the following clause be added as a rider :

And be it further enacted by the authority, aforesaid : that it shall and may be lawful to and for the Board of Education in each and every District, to allow to the Clerks of their respective Boards, in addition to the sum they are now by law authorized to receive, the further sum of five pounds annually during the continuance of this Act.

On which the yeas and nays were taken as follows : Yeas, 17 ; nays, 15. The question was carried in the affirmative by a majority of two, and ordered accordingly.

Agreeably to the Order of the Day, the rider to the Common School Bill, was read a third time, and the Bill was passed.

The Honourable H. J. Boulton, Attorney-General, seconded by Mr. George S. Boulton, moves that the Bill be intitled : " An Act for granting to His Majesty a certain sum of money in aid of the Funds already granted for the support of Common Schools in this Province " ; which was carried, and Messieurs H. J. Boulton, (Attorney-General) and George S. Boulton, were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

8th February, 1833.—The Speaker reported that the Master in Chancery had brought down from the Honourable the Legislative Council a Message, which he read as follows :

MR. SPEAKER :

The Legislative Council have passed the Bill sent up from the Commons House of Assembly . . . intitled : " An Act for granting to His Majesty a certain sum of money, in aid of the Funds already granted, for the support of Common Schools in this Province " without amendment.

JOHN B. ROBINSON,
Speaker.

LEGISLATIVE COUNCIL CHAMBER,
8th day of February, 1833.

The Despatch of the 8th of November, 1832, was taken up, as follows :

9th February, 1833.—Mr. Peter Perry, seconded by Mr. Marshall S. Bidwell, moves that it be resolved, that an humble Address be presented to His Majesty, thanking him for the prompt attention that His Majesty has been most graciously pleased to pay to the representations and Petitions . . . from this Province, and to express to His Majesty our sincere gratitude for the many valuable measures that His Majesty has been most graciously pleased to suggest and recommend to the Government of this Province, . . . and which are contained in the Despatch of Lord Goderich, His Majesty's Secretary of State for the Colonies, dated Downing Street, 8th of November, 1832, and transmitted by His Excellency Sir John Colborne on the 12th day of January, 1833, [this date is an error ; it should be the 19th of January, 1833, see page 112] viz : . . . The alteration of the Charter of King's College in such a manner as shall agree with the wishes of the people. . . .

The strong recommendation of His Majesty for a universal diffusion of Education, especially amongst the poorest and most destitute, etc. (See page 113, of this Volume.)

In amendment, Mr. Christopher A. Hagerman, Solicitor-General, seconded by Mr. Peter Robinson, moves that all the words after the word "moves" be expunged and the following inserted :

That an Address be presented to His Excellency the Lieutenant-Governor [thanking him for his] "Message of the 12th [19th] of January, 1833, transmitting the Despatch of . . . Lord Goderich of the 8th of November, 1832.

[Against the statements of Mr. W. L. Mackenzie, therein quoted, the Address protested.]

On which the yeas and nays were taken as follows : Yeas, 18 ; Nays, 10 ; majority 8.

NOTE.—On motion of Mr. Attorney-General H. J. Boulton, seconded by Mr. John Brown, the House, decided by a vote of 22 to 12, that Lord Goderich's Despatch of the 8th of November, 1832, relating to the grievances as set forth by Mr. W. L. Mackenzie, and the documents accompanying it, be "not entered on the Journals" of the House. The Grievance Report of 1835 takes notice of this.

11th February, 1833. The House Resolved, That the sum of five hundred pounds (£500) be placed in the hands of the Speakers of the Honourable the Legislative Council and House of Assembly, to purchase books for the Library. On which the yeas and nays were taken as follows—Yeas, 20 ; nays, 8 ; so the resolution was carried by a majority of twelve.

2. EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL IN 1832, 1833.

On the *31st October, 1832* His Excellency the Lieutenant-Governor was pleased to open the Session by a gracious Speech from the Throne to both Houses. (See page 69 of this Volume.)

3rd November, 1832.—The Legislative Council having considered the Speech of the Lieutenant Governor, which His Excellency addressed to both Houses of the Legislature, the following is an extract from the Reply of the Council to that Speech :

The consideration of the King, in complying with the wishes of the House of Assembly, on the subject of the appropriation of the sums arising from the sale of land formerly set apart for the support of Grammar Schools, and not alienated by the authority of His Majesty's Government, affords another proof of His Royal solicitude to promote the wishes of the Province.

We trust that some measure respecting the distribution of those funds, otherwise than by annual vote, will be devised, and that such provision will be made for applying them to their intended object, and securing the interests of the people as will meet the full concurrence of Your Excellency.

19th November, 1832.—His Honour the Speaker reported to the House that a deputation from House of Assembly had brought up and delivered at the Bar of the House the following Message :

MR. SPEAKER :

The Commons House of Assembly request that the Honourable the Legislative will permit the following members of your Honourable House to appear before the Committee of the House of Assembly on Education, to be examined on that most important subject, viz.: the Honourable and Venerable Doctor Strachan, and the Honourable Messieurs John B. Robinson, Joseph Wells and George H. Markland.

COMMONS HOUSE OF ASSEMBLY,
14th day of November, 1832.

ARCHIBALD McLEAN,
Speaker.

The Master in Chancery was ordered to go down and acquaint the Commons House of Assembly that the Honourable Gentlemen named by it in the foregoing Address, have leave to attend the Select Committee of the Assembly, if they think fit.

21st November, 1832.—The Petition of Mr. Chauncey Beadle and others, Trustees of Grantham Academy, praying for an endowment to aid in its support, was read.

29th November, 1832.—The Honourable Joseph Wells brought up the Petition of Mr. Jean P. de la Haye, one of the Masters of Upper Canada College, which was laid on the Table.

7th December, 1832.—The Honourable and Venerable the Archdeacon of York brought up the Petition of the York Philosophical Society, which was laid on the Table.

11th December, 1832.—The Petition of the York Philosophical Society was read to-day, praying for an Act granting a sum of money to be applied in the appointment of persons duly qualified to investigate thoroughly and scientifically the Geology, Mineralogy and general Natural History of the Province of Upper Canada.

CONTINUED EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL IN 1833.

19th January, 1833.—Messages from His Excellency the Lieutenant-Governor were delivered by Mr. Secretary Rowan, who having retired, the following one was read by the Speaker :

J. COLBORNE :

The Lieutenant-Governor acquaints the Legislative Council that he has received a Despatch, containing the opinions and comments of His Majesty's Secretary of State from the Colonies, dated the 8th of November, 1832, upon the subject of grievances said to exist in this Province, and for the redress of which various Petitions have been addressed to His Majesty, and referring to statements communicated to the Secretary of State by Mr. W. L. Mackenzie.

The Lieutenant-Governor will forward [the Despatch] as soon as it can be copied.

GOVERNMENT HOUSE,

YORK, 19th January, 1833.

J. C.

28th January, 1833.—A Message from His Excellency the Lieutenant-Governor was delivered by Mr. Secretary Rowan, who having retired, the Speaker read the same, as follows :

J. COLBORNE :

The Lieutenant-Governor, in transmitting to the Legislative Council the accompanying Despatch, to which he referred in his late Message, (of the 19th instant) requests that it may be returned to him, as, in consequence of the pressure of public business, no copy of it has been retained in his office.

GOVERNMENT HOUSE,

YORK, 28th January, 1833.

J. C.

29th January, 1833.—On motion made and seconded it was ordered that the Despatch of His Majesty's Secretary of State, of the 8th of November, 1832, transmitted yesterday, by His Excellency the Lieutenant-Governor, be read, and the same was then read by the Clerk, accordingly. It was ordered that the foregoing Despatch be referred to a Committee of the Whole House on Thursday next, and that the Members in Town be summoned to attend in their places on that day.

NOTE.—That part of this Despatch, relating to Education in Upper Canada, will be found in the proceedings of the House of Assembly of the 19th of January, 1833, page 112 of this Volume.

31st January, 1833.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Despatch of the Secretary of State for the Colonies of the 8th of November, 1832, transmitted to the Council on Monday, the 28th of January, instant, by His Excellency the Lieutenant-Governor. The Honourable Joseph Wells took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Despatch into consideration, and had made some progress therein, and asked leave to sit again to-morrow. Ordered that the Report be received, and that the Members in Town be summoned to attend in their places on that day.

1st February, 1833.—Pursuant to the Order of the Day, the House was put again into Committee of the Whole upon the Despatch of His Majesty's Secretary of State for the Colonies, dated the 8th of November, 1832, The Honourable Joseph Wells took the chair.

After some time the House resumed, and the Chairman reported that the Committee had agreed to certain Resolutions thereon, which they recommended to the adoption of the House; as also a draft of an Address to the Lieutenant-Governor, in pursuance thereto. Ordered that the Report be received.

NOTE.—An Address to the Lieutenant-Governor on this Despatch from the Colonial Secretary, was agreed to on this day, as follows :

. . . . The Legislative Council of Upper Canada, in Provincial Parliament assembled, beg leave to express our thanks to Your Excellency for laying before us an original Despatch, written to your Excellency by the Right Honourable the Secretary of State for the Colonies, on the 8th of November last, containing His Lordship's observations, at great length, upon a variety of statements made to him by Mr. William L. Mackenzie, an inhabitant of this town.* Having perused the Despatch, we comply with Your Excellency's desire, in returning it to Your Excellency, taking it for granted, that the only reason for laying it before the Legislative Council was the direction contained in the Despatch, that it should receive publicity. . . .

This Address having been presented to the Lieutenant-Governor, he, on the 2nd of February, informed the Council that he would forward the Address to the Secretary of State for the Colonies. The Address further referred in general terms of dissent to Mr. Mackenzie's statements, but it did not deal with any specific matter relating to Education.

On the 16th of February, 1833, Sir John Colborne sent the Address of the Legislative Council, and of the House of Assembly, to Lord Goderich, with the following Despatch :

I have the honour to acquaint your Lordship, that, being persuaded much inconvenience must arise from delaying to promulgate Your Lordship's Despatch of the 8th of November last, I took an early opportunity of laying this Despatch, and the voluminous Documents to which it referred, before the Legislative Council and the House of Assembly.

The Documents were the occasion of a very angry discussion in both Houses ; and I beg leave to transmit to Your Lordship the accompanying Addresses which I have received, respecting the several allusions in Your Lordship's observations, which the two Houses have considered themselves called upon to notice.

Under the circumstances of the case, and with reference to the Petitions carried home by Mr. Mackenzie, having been received by the House of Assembly last Session, I have no doubt that Your Lordship will approve of the course which I have pursued, in giving publicity to Your Lordship's Despatch.

J. COLBORNE.

GOVERNMENT HOUSE,
YORK, U. C., 16th February, 1833.

6th February, 1833.—A deputation from the Commons House of Assembly brought up a Bill intituled : "An Act for granting to His Majesty a certain sum of money in aid of the funds already granted for the support of Common Schools in this Province," to which they requested the concurrence of this House. The Bill was then read a first time, and was ordered to be read a second time to-morrow.

7th February, 1833.—Pursuant to the Order of the Day, the Bill intituled : "An Act for granting to His Majesty a certain sum of money in aid of the funds already granted for the support of Common Schools in this Province," was read a second time, and it was ordered that the House be put into a Committee of the Whole to take the same into consideration. The House was then put into a Committee of the Whole accordingly. The Honourable Peter Adamson took the chair.

After some time the House resumed. The Chairman reported that the Committee had gone through the said Bill, and recommended the same without amendment to the adoption of the House. Ordered, that the Report be received, and that the said Bill be read a third time to-morrow.

* In a "Memorandum" on page 196 of Mr. Mackenzie's "Report on Grievances," he says : "On Wednesday, the 7th of November, 1832, I had the honour of a very long interview with the Secretary of State, [Lord Goderich, afterwards Lord Ripon,] and on the following day the Despatch was written, which is an answer, in part, to my representations."

8th February, 1833.—Pursuant to the Order of the Day, the Bill intituled : “An Act for granting to His Majesty a certain sum of money in aid of the funds already granted for the support of Common Schools in this Province,” was read the third time and passed. Whereupon the Speaker signed the same ; and it was ordered, that the Master in Chancery do go down to the House of Assembly, and acquaint the House that the Legislative have passed this Bill without amendment.

13th February, 1833.—On this day, at three of the clock. p.m., His Excellency having had the Members of the House of Assembly summoned to the Legislative Council Chamber. His Excellency was pleased to assent in His Majesty's name to the following Bill :

“An Act granting to His Majesty a certain sum of money in aid of the funds already granted for the support of Common Schools in this Province.”

After which His Excellency was pleased to close the Session with a Speech, in which he said :

“With respect to the distribution of School Lands, I may assure you that, should it be desirable to select small portions of land for the especial use of any particular District, or Township, such arrangements, as may be required, can be made without difficulty. Indeed, I am convinced that the reservation of large blocks of land for the support of Schools depreciates the value of the endowment, and impedes the settlement of the country.”

The following is a copy of the Common School Money Bill, assented to by His Excellency :

46TH YEAR OF WILLIAM IV ; CHAPTER LVI.

AN ACT FOR GRANTING TO HIS MAJESTY A CERTAIN SUM OF MONEY IN AID OF THE FUNDS ALREADY GRANTED FOR THE SUPPORT OF COMMON SCHOOLS IN THIS PROVINCE.

Sir John Colborne, Lieutenant-Governor :

[Passed 13th February, 1833.]

MOST GRACIOUS SOVEREIGN :

Preamble.

Whereas it is expedient for the promotion of Education in this Province that a further sum of money should be appropriated for the use of Common Schools than is at present allowed by Law, *i.e.* [two hundred and fifty pounds (£250,) for each District] ; may it therefore please Your Majesty that it may be enacted,

Authority.

And be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of, and under the authority of, an Act passed in the Parliament of Great Britain, intituled, “An Act to Repeal certain parts of an Act passed in the fourteen h year of His Majesty's Reign (18), intituled, ‘An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province, (1791),’” and by the authority of the same : That from, and out of, the Rates and Duties now raised, levied and collected, or hereafter to be raised, levied and collected, to, and for, the uses of this Province, and in the hands of the Receiver-General, and unappropriated, there be granted to His Majesty for the use of Common Schools in this Province, for the year one thousand eight hundred and thirty-three (1833), the sum of Five Thousand Six Hundred and Fifty Pounds (£5,650 : \$22,600), and for the year one thousand eight hundred and thirty-four (1834), the like sum of Five Thousand Six Hundred and Fifty Pounds (£5,650 : \$22,600), in addition to the sums now appropriated by Law, to be applied in the same way and manner, and in conjunction with the present sums for Common Schools granted by Act of Parliament : which said sums of Five Thousand Six Hundred and Fifty Pounds (£5,650 : \$22,000) shall be apportioned among the several Districts of this Province as follows : that is to say—

Additional
Grant for
1833.

Additional
Grant for
1834.

Sum granted
to each
District.

To the Ottawa District, the sum of One Hundred Pounds (£100).

To the Eastern District, the sum of Five Hundred Pounds (£500).

To the Johnstown District, the sum of Five Hundred Pounds (£500).

To the Bathurst District, the sum of Five Hundred Pounds (£500).

To the Midland District, the sum of Seven Hundred and Fifty Pounds (£750), including Two Hundred Pounds (£200) for Prince Edward District.

To the Newcastle District, the sum of Five Hundred Pounds (£500).

To the Home District, the sum of Seven Hundred and Fifty Pounds (£750).

To the Gore District, the sum of Six Hundred Pounds (£600).

To the Niagara District, the sum of Five Hundred Pounds (£500).

To the London District, the sum of Six Hundred Pounds (£600).

To the Western District, the sum of Three Hundred and Fifty Pounds (£350).

II. *And be it further enacted* by the authority aforesaid : That the said sum of Receiver-General shall Five Thousand Six Hundred and Fifty Pounds (£5,650 : \$22,600), in each of the years above mentioned, shall be paid by the Receiver-General of this Province in discharge of such Warrants as may for that purpose be issued by the Governor, Lieutenant-Governor, or Person Administering the Government of this Province, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct. Account to the Imperial Treasury.

III. *And be it further enacted* by the authority aforesaid : That it shall not be lawful, during the years aforesaid, for the Board of Education in each District of this Province to pay to any Teacher of a Common School the annual allowance, unless the Trustees of the said School shall make it appear to the satisfaction of the Board of Education that they have made provision for his support. so as to secure him, for his services, in a sum at least equal to double the amount which may be allotted by the Board of Education from the Public Money, any thing to the contrary in anywise notwithstanding. Condition of payment to Teachers.

IV. *And be it further enacted* by the authority aforesaid : That it shall and may be lawful to and for the Board of Education, in each and every District, to allow to the Clerks of their respective Boards, in addition to the sum they are now by law authorized to receive, the further sum of Five Pounds (£5) annually during the continuance of this Act. Allowance to Township Clerks

CHAPTER VI.

MISCELLANEOUS PAPERS RELATING TO EDUCATION IN UPPER CANADA, 1831-1833.

THE HONOURABLE ADAM FERGUSON ON EDUCATION IN UPPER CANADA IN 1831.

The Honourable Adam Ferguson, who was called to the Legislative Council in June, 1841, was a noted Agriculturist in the County of Wellington, and resided at Fergus. He made a tour of Canada in 1831 and wrote "Notes" of his travels,* from which I take the following :

Education is a subject which cannot fail to interest emigrants, and it may be of importance for those of a higher class to know that the style of Education for both sexes is rapidly improving.

The Upper Canada College at York is well endowed, and when its wild acres shall be settled and cultivated, will become an institution not to be sneered at by any Alma Mater at Home.

The charges at present are :

PREPARATORY SCHOOL FOR BOYS.

General Branches, per quarter....£1.5.0 | Pens, fuel, etc., per quarter.....£0.5.0

COLLEGE FOR SENIOR BOYS.

Classical and General Branches, per quarter.....£2.0.0	| Drawing, per quarter .....£0-10.0
Pens, fuel, etc., per quarter..... 0.5.0	| Books extra.

Board, under the surveillance of the Principal, £25 per annum. Besides which, there are other boarding houses in York, and boarding schools at Cornwall, etc. Arrangements are also, I believe, in progress for the early establishment of a Female Boarding School of a superior description in or near York.

THE REVEREND THOMAS RADCLIFFE ON EDUCATION IN UPPER CANADA IN 1833.

The Rev. Thomas Radcliffe also published also letters from Canada in 1833, from which I take the following :

As there is a want of Clergymen, so, I believe, there is of Schoolmasters. Those settled in Townships generally receive two dollars per quarter for each pupil, badly paid ; and may have, perhaps, thirty pupils during the winter months. They complain greatly, I am told, of being too dependent on the whims and caprices of a few leading persons around them. It would be desirable, if practicable, to render correct and valuable Teachers somewhat independent in this respect. I have just heard, however, that some arrangements to promote Education, have been made, with the particulars of which I am not acquainted.

The School Houses are frequently used as places of worship for the different sects.

In a country where the labour, even of children, is valuable to the colonist, it cannot be expected that they will be left at School beyond the age of ten or twelve years ; it is, therefore, of supreme importance that, previously to this period, they should have all the advantage which sound and uninterrupted Education can confer.

*Practical Notes, made during a Tour in Canada in 1831, by Adam Ferguson, Advocate, of Woodhill, page 156.

Future generations will bless the memory of Sir John Colborne, who, to the many advantages derived from the equity and wisdom of his government has added that of a magnificent foundation (in Upper Canada College) for the purposes of literary instruction.

The lowest salary of any of the Professors of this Institution is three hundred pounds (£300) per annum, with the accommodation of a noble brick house, and the privilege of taking boarders at fifty pounds (£50) per annum. Pages 204-205.

There is a male and female Superintendent resident in this latter School ; the pupils cook, make their own clothes, keep the garden in order, receive lessons in reading, etc., and work at their various avocations. I counted nearly a dozen large wool spinning wheels in one of the rooms. Among the pupils I saw either one or two young girls from York ; and they all seemed happy and contented. Pages 119, 120.

MR. WILLIAM LYON MACKENZIE ON EDUCATION IN UPPER CANADA IN 1830-1832.

Mr. William Lyon Mackenzie, who came to Canada in 1820, made a tour of part of the United States and Canada in 1825-1830. He afterwards published the result under the title of "Sketches."* From this publication I make the following extracts :

After describing his visit to Quebec in 1831, Mr. Mackenzie continues :

Let me now direct the attention of the reader to York [Upper Canada] College and the monetary system of the Executive in Upper Canada.

Instead of £1 a year of College Fees, the charge is £8, besides extra charges for firewood and other contingencies ; instead of £17 10s. for board, lodging, washing, mending and College Dues, the demand is from £35 to £42 10s. with £3 10s. of entrance money to buy bedding.

The King's College at York, in Upper Canada, is most extravagantly endowed with from two to three hundred thousand acres of the very best picked lands of the Colony ; £1,000 a year is allowed it from the Canada Company's payments and thousands of pounds are realized at will by its self-constituted managers from the sale of School Lots and School Lands, and the proceeds applied, as if they were the private property of the Government officers. Splendid incomes are given to the Masters of the new (Upper Canada) College, culled at Oxford by the Vice-Chancellor, and dwellings furnished to the Professors (we may say), by the sweat of the brow of the Canadian labourer. All these advantages and others not now necessary to be mentioned, are insufficient to gratify the rapacious appetite of the "Established Church" managers, who, in order to accumulate wealth and live in opulence, charge the children of His Majesty's subjects ten times as high fees as are required by the less amply endowed Seminary at Quebec. They have another reason for so doing. The College (already a monopoly) becomes almost an exclusive School for the families of the Government officers and the few who through their means have in York already attained a pecuniary independence out of the public treasury. The College never was intended for the people, nor did the Executive endow it thus amply that all classes might apply to the fountain of knowledge. No ; the same spirit which induced [Members of the Legislative Council] to trample in the dust Mr. John Clark's modest Bill for bestowing on the infant Grantham Academy £125 a year for four years, out of the public taxes, for the promotion of Learning (see page 66), never did, never could intend to model the College at York upon liberal principles towards the Canadian people. (Page 190 of the "Sketches.")

Extract from Mr. Mackenzie's Petition to the Colonial Secretary, dated February 21st, 1833 :

The progress of Education is obstructed. The direction of public instruction is, in general, placed in the hands of those whose interest it is to keep the great body of people in ignorance. (Page 376 of his "Sketches.")

School in Bertie Township 1826.—A few miles from Lake Erie, in the Township of Bertie, in a quiet and retired spot, near a concession road, stands the plain and unadorned Place of Worship of the Society of Friends, and a little distance beyond, their School. On entering the

* Sketches of Canada and the United States. By William L. Mackenzie. London, 1833.

latter I recognized in the Teacher my old friend Mr. William Wilson. He had from twenty to thirty boys and girls around him, the children of the neighboring Quaker families. The healthy, happy, cheerful and placid countenances of these young innocents it was delightful to look upon. . . . Opposite the School House and fastened to the boughs of lofty beech and maple trees . . . are placed two swings, made of the bark of the elm and basswood . . . one for the boys and one for the girls. I took a turn in one of these machines, was sent aloft in the air, and thought for a few minutes that I had gone back to the halcyon days of youth. Pages 234, 235, of his "Sketches."

Travelling Teachers are very common in Upper Canada; but perhaps not so much so as in New England, where Education is more accessible to the humblest citizen than in Scotland. *Ibid.*, page 282.

INDIAN SCHOOLS IN UPPER CANADA, 1826-1831.

Indian School, River Credit.—In December, 1830, Mr. Mackenzie visited the Indian Settlement at the River Credit, near York. Of the School for the Indian children there he said:

In this School are taught about fifty Indian children; the girls by Miss Rolph, sister of Mr. John Rolph, late Member of the House of Assembly for Middlesex; the boys by Mr. Edway (afterwards the Reverend Edway) Ryerson, Brother of the Reverend Egerton Ryerson, late Editor of the *Christian Guardian*.

The Schoolroom is a large and commodious apartment, with tiers of raised benches (like a gallery) in the rear; on one division of which sit the girls, and the boys on the other. There are also desks and slates for ciphering, and copy books and copperplate lines for those who write. The Bibles and Testaments are chiefly those of the London Society for Promoting Christian Knowledge; some of the other books are English printed and some American; no sectarian intolerance prevails in that way. Among the school furniture are a handsome map of the World; Arithmeticon; attractive alphabets on pasteboard; regular figures illustrative of geometry, some of them cut in wood, and some of them made of pasteboard; the picture of Elijah fed by ravens; figures of birds, fishes and quadrupeds, on pasteboard, coloured, accompanied with the history of each animal; the figure of a clock, in pasteboard, by which to explain the principles of the time-piece. The walls of the School are adorned with good moral maxims; and I perceived that one of the rules was rather novel, though doubtless in place here: It was, "No blanket to be worn in School." (Pages 131, 132.)

In 1826 the Methodist Conference established a Mission among the Indians at the Credit River, and appointed the Reverend Egerton Ryerson to take charge of it. The Mission included a School, of which the Missionary, (Reverend Egerton Ryerson,) had the oversight. In his Diary of February 16th, 1827, he writes:

The importance of fostering our School among the Indians, and encouraging the Teacher in this discouraging and very difficult task, cannot be overestimated. The Reverend William Case, thinking that I had some aptitude for teaching, wrote me a day or two ago, as follows:

Do you think the multitude of care and burden of the School does sometimes mar the patience of the Teacher? If so, you would do well to kindly offer to assist him occasionally, when he is present, and so, by example, as well as by occasional kind remarks, help him to correct any inadvertencies of taste. I know the burden of a Teacher in a large School; and a perpetual sameness in the same employment, especially in this business, is a tiresome task. I consider this School of vast importance, on several accounts, and especially considering the hopes to be entertained of several interesting youths there.

The Reverend William Ryerson, who was at the Credit Mission in March, (1827) says:

While there we visited the Schools. They have about forty pupils on the list, but there were only thirty present. The rest were absent making sugar. I am very certain I never saw the same order and attention to study in any school before. Their progress in spelling, reading and writing is astonishing, but especially in writing, which certainly exceeds anything I ever

saw. They are getting quite forward with their work. When I was there they were fencing the lots in the village in a very neat, substantial manner. On my arrival at the Mission I found Egerton, about half a mile from the village, stripped to the shirt and pantaloons, clearing land with between twelve and twenty of the little Indian boys, who were all engaged in chopping and in picking up the brush. It was an interesting sight. Indeed, he told me that he spent an hour or more every morning and evening in this way, for the benefit of his own health, and the improvement of the Indian children. He is almost worshipped by his people; and I believe, under God, will be a great blessing to them.

Extract of a letter in the *Christian Guardian* of January 29th, 1831, from the Teacher of the Credit Mission School, dated January 4th, 1831 :

When I commenced teaching the School, it consisted of about fifty children, a greater part of whom had made considerable improvement under the instructions of Mr. Jones, their former Teacher. I found the children particularly tractable, and uncommonly anxious to receive instruction, which, in a great measure, cheered me. Shortly after I commenced teaching these children, the Infant School System was introduced, and from its simplicity, (being particularly suited to the taste and dispositions of Indian children), they have made very considerable improvement in those branches, which that system is calculated, with little labour, to teach. At present, the School consists of about forty-five children, and sometimes more. There are at present in the English Reader, Writing and in Arithmetic, fourteen pupils; Reading in the Testament and Writing, nine; Sunday School Primer, Part First, fourteen; in the Alphabet, eight; all of whom are also taught Geography, etc., on the Infant School plan.

In a letter written by Reverend William Case, from Hallowell, (Picton,) to the Reverend Egerton Ryerson, he thus speaks of the success of a School established by the Conference among the Indians. He says :

Last evening (10th March, 1828,) was exhibited the improvement of the Indian School at Grape Island; one boy, whose time at School amounted to about six months, read well in the Testament. Several new tunes were well sung, and had a fine effect. The whole performance was excellent. More than twenty names were given in to furnish provisions for the children of the school. These exhibitions have a good effect. It animates the children and the Teachers, and affords a most gratifying opportunity to the friends of the Missions to witness that their benevolence is not in vain.

Shortly after this letter was written, the Reverend William Case went to New York, to solicit aid on behalf of the Indian Schools. He was accompanied by John Sunday, (afterwards a missionary,) and one or two other Indians. Writing from there, on the 19th April, 1828, to the Reverend Egerton Ryerson, he says :

We have attended meetings frequently, and visited a great number of Schools and other institutions, both literary and religious. This has a fine effect on our Indian brethren. The aid we are obtaining will assist us for the improvement of our Indian Schools. We have an especial view to the Indians of Rice Lake. Please look well to the School there, and to the comfort of the Teacher. The Indians should be encouraged to cultivate their Islands. The most that we can do is to keep them at School, etc., and instruct them in their worldly concerns.

The Reverend William Case was anxious to re-open the School for Indian girls at Grape Island. In writing from the Credit about it, he says :

When we gave up the Female School, it was designed to revive it, and we had in view to employ one of the Miss Rolphs. If she can be obtained, we shall be much gratified. We wish everything done that can be done to bring forward the children in every necessary improvement, especially at the most important stations, and the Credit is one of the most important.

The missionary efforts of these times were, in Upper Canada, as in later days, chiefly directed toward the Indians. These efforts were also put forth by the Church of England, and subsequently by other Churches. At a public meeting held in York, on the 29th of October, 1830, a Society was formed, under

the presidency of the Bishop of Quebec, "for the converting and civilizing of the Indians of Upper Canada." In his Address, on that occasion, the Bishop stated that the Reverend George Archbold had resided among the Indians on the north side of Lake Huron during the greater part of the summer, and, at his departure, had left them in care of Mr. James W. Cameron. Mr. Cameron was, in 1832, succeeded by Mr., (afterwards the late lamented and venerable Archdeacon) McMurray at Sault Ste. Marie. The Missionaries employed in 1831 were the Reverend J. O'Brian, (St. Clair), the Reverend Saltern Givens, (Bay of Quinté), and Mr. James W. Cameron, (La Cloche, Sault Ste. Marie, etc.)

THE FIRST SCHOOLS AT RICHMOND HILL, 1820.*

Mr. N. Robertson, in a letter to the Editor of this Documentary History, says: The following sketch of our Schools was written by Mr. William Harrison, who has long been a resident of Richmond Hill. It has been condensed as follows:

Education began in Richmond Hill under very primitive circumstances. Previous to the introduction of the Common School System, in 1816, our boys and girls stood but a small chance of obtaining even the rudiments of education.

There were, however, in the early history of our Village, a few families who thought that a little knowledge, if it was not profound, was better than none; so, if there happened to be among them a man who could read and write, with time on his hands, his services were to be secured, and his abilities utilized for the benefit of the rising generation.

The School term generally lasted through the winter months, until "sugar making time." After that, there was always something to do at home, so that the rest of the year was "vacation."

Our first School was held in a "deserted settlement-duty house," with earthen floor and pine blocks for seats. The Master's desk was a hewn pine log slab, with legs of the same material. The books—all sorts and sizes—(home supplies), were few and far between, and were shoved along the class until each scholar got his share of the lesson. The first passable supply of books of instruction that arrived in our Village was imported from the British and Foreign Bible Society in England by Mr. James Miles.

The School, being an infant industry of those days, received its share of Government assistance from the legislative grant of £6,000 for the payment of Teachers, and the purchase of School supplies; which was afterwards greatly increased. This was an inducement for our people to build their first School House. It was the second hewed log building erected in the Village, showing our advancement in architecture and public spirit. Its foundation was laid in 1820, in a small clearing, a couple of rods south of the present School site, which was then covered with forest. Like all large public undertakings, it took some time in its erection, but, when built, was a substantial structure, doing duty as a School House, Place of Worship and Town Hall, for nearly thirty years, when it gave way in the march of improvement to its brick successor, which was built in 1847.

Mr. Benjamin Barnard, a gentleman from Surrey, England, was our first Schoolmaster. He "taught the young idea how to shoot" intellectually, on what was then considered a liberal stipend of twelve dollars a quarter, and "board around"—two weeks in a family. Tradition informs us that he really earned the whole of his magnificent salary for he was intensely interested in the education of the young, and hunted up every child old enough to get there. He put the "Truant Act" in operation long before the Legislature launched it, for, after four o'clock, the parents of an absentee would see the Master coming round the corner of the bush, or striding across the clearing, to know the reason why the children were absent. But—

"Well had the boding tremblers learned to trace
The day's disasters in his morning face."

Hence the necessity for Mr. Bernard's "Truant Act"!

* The remainder of this Sketch will be given in its proper chronological order.

FIRST SCHOOLS IN THE TOWNSHIP OF MADOC, 1830.

Mr. Frederick E. Seymour, of Madoc, in a letter to the Editor of this Documentary History, says :

The first School ever taught in the Township of Madoc was at a spot about two miles from the village of that name—now known as O'Hara's School House, or School Section Number Two. The first Teacher was Mr. George Ryan, who began to teach in 1830. He was succeeded by a Mr. Jeremiah Vankleek, whose brother Barney (well on in the nineties) is still living here. I think that there was a considerable hiatus between these two Teachers and the next that came. From about 1838, at intervals, for seven or eight years, a School was kept up in this village by private subscriptions, of which Miss Elneline Olmsted, an American, of English descent, was the Teacher. In the meantime a School House had been built, and for a time—less than a year—a Teacher named Duncan Cameron was secured, under the provisions of the Common School Act of the time. He was a young man of some education and culture, as I remember, although I was not one of his pupils. After his departure, Miss Olmsted kept the School open for several terms gratuitously.

FIRST SCHOOLS IN THE TOWN OF GALT, 1832.*

The following account of the early Schools of the Town of Galt is taken from the "Reminiscences of the Early History of Galt and the Settlement of Dumfries," by the Honourable James Young :

The establishment of Schools throughout the settlement proceeded slowly at first. After much time and trouble spent over the matter, it is impossible to say with absolute certainty who was the first Teacher in Galt, or in what building the first teaching took place.

The first School House erected by the villagers was the result of a "bee," and was a diminutive log building situated where the Merchants' Bank, (now—1894—Dr. Hawk's office,) now is. A Miss Dobbyn, of Garafraxa, is said to have been the first Teacher in it. Some time after this the late Mr. Dixon, senior, commenced a School in a little log building at the west end of the bridge. Mr. Dixon had been a Teacher in Scotland, at a place called "The Craig," up the Yarrow River. Not finding bush-farming altogether to his liking, Mr. Dixon naturally took to the ferule.

The old rough-cast School House at the head of Main Street was erected in 1832. Its first Teacher was Mr. James Milroy, who removed to Iowa in 1856, and the second was Mr. William McColl, who taught until Rebellion times. With this School, however, must ever be associated the name of Mr. John Gouinlock, who was its sole Teacher for many years. He was an excellent specimen of the old-fashioned Dominie, before the days of County Boards and periodical examinations. His teaching was eminently practical. He knew what the birch was for, and he applied it.

NOTE.—By the Editor of this Documentary History: The Editor of this History went to Galt in April, 1836, and was there two or three years. He well remembers the old School House at the end of the bridge over Mill Creek, and also the excellent Teacher in it, Mr. John Gouinlock.

EARLY SCHOOLS IN THE VILLAGE OF SMITH'S FALLS, 1832.†

Mr. F. J. Frost sends the following account of the early history of the School at Smith's Falls, in continuation of the particulars given in the First Volume of this Documentary History, pages 229 and 230 :

The building of the Rideau Canal brought a goodly number of North of Ireland people and Scotch Highlanders into this District, and, in 1832, when it was opened for traffic, there were about two hundred of a population permanently located at this point.

For School purposes, Smith's Falls was included in School Section No. 1, North Elmsley, the School House being three miles distant ; but, as Education was not compulsory, and School fees had to be paid anyway, Private Schools sprang up and were well patronized. The first

* This sketch of the Galt Schools was sent anonymously to the Editor of this Documentary History.

† The remainder of this sketch will follow in proper chronological order.

that we have any record of was taught in 1831 by Miss Frances E. Bartlett, afterwards Mrs. Kilborn, a sister of the present Town Treasurer of Smith's Falls. An upper room in the house, now occupied by Mr. R. W. Bartlett, was used for School purposes. The same lady also taught School in a small House on Main Street, still standing, next to Barton's store, and again, later, in 1838, in a house on the corner of Beckwith and William Streets, where Messieurs Brown, Waite and Company's store now is.

Other Schools, in the meantime, had started; one was in the Lumbar House, on the site of Mrs. Caswell's residence on Main Street, taught by a man whose name is now forgotten. He was followed, in the same room, by Mr. Lane; and he in turn by Miss Jessup—the latter being a Boarding and Day School.

The School District having been divided by this time, a Public School was opened; and there were in succession, Mr. MacPherson, who taught in a room in Dodd's Building, Beckwith Street; Mr. Nelson, in a small house on William Street; Mr. Crookshanks, in the Dodd's Building, and Mr. Neil Dunbar, in a room over Mr. Matthew Wilson's harness shop; Mr. Finney taught School in the house now occupied by Mr. D. C. Healy on Water Street, and Mr. Hines in the McNulty House on Market Street.

THE SCHOOLS IN PORT HOPE, 1832-3.*

In 1832-3 Mr. R. Maxwell taught in the old School House near St. Mark's Church, on the ground now occupied by Mr. George C. Ward. About this time Mr. Murdoch McDonell taught in the old red store, previously occupied by Mr. John D. Smith for the sale of general merchandise. It stood about where the late Mr. R. C. Smith's office stands. Mr. McDonell built a School House soon after this, on the corner of Pine and South Streets, opposite the St. John's rectory, where he taught for a considerable time. After Mr. Maxwell, Mr. George Hughes taught again. (G. N. H.)

After the Reverend J. Coughlan left (in 1835), Mr. (afterwards the Reverend) William Millard† taught a private School in the building erected by Mr. Coughlan for his School. Mr. Millard, who died recently in Eng and at an advanced age, was subsequently a prominent man in Ontario in connection with Sunday Schools and other Church organizations for many years. I‡ attended both of the Schools taught by Mr. Hughes and Mr. Millard.

The Reverend Jonathan Shortt, D.D., for more than thirty years Rector of Port Hope, succeeded Mr. Coughlan. After Mr. Millard's time, he conducted most successfully a private School assisted by a Mr. Johnston. I also attended his School.

In a later letter from Mr. Furby, he says: "I saw Mr. Thomas Choat, 85 years of age, who lives at Warsaw, just east of Peterborough, to which latter place he moved in 1830. His father was one of the early settlers here. He went to Mr. John Farley's School in Port Hope in 1812. Mr. Farley's school was kept in a building built of plank on Walton Street, just opposite the Queen's Hotel. He was a man of good education, and a successful Teacher. Mrs. Ozel Hawkins, his daughter, aged 96 years, still lives in Port Hope. She was of sound mind and memory until very recently. The next Teacher in the same building was Mr. John Taylor, (already spoken of). He was succeeded by Miss Hannah Burnham, from New Hampshire, sister of the late Mr. Mark Burnham, of Port Hope, and of Messieurs Zaccheus, § Asa and John Burnham, of Cobourg—very prominent men in their day. This Teacher may be the Miss "Burns" mentioned by Mr. George Ward. She taught from 1815 to 1817. Mr. Gardiner Clifford was the next Teacher, but only for a short time; Thomas Page followed. The building was then taken down and moved to the southeast corner of King and William Streets—the present site of Mr. George Ward's residence. Then came Mr. Hobbs and Mr. T. Valentine Toffer; the latter was afterwards a

* Continued from page 319 of the First Volume of this Documentary History; (see note at the end of this sketch).

† Mr. Millard was well known to the Editor of this Documentary History. He was a man of a most excellent spirit, and an active worker for the promotion of Sunday Schools in this Province. For fifteen years he was the Secretary and devoted Agent of the Sabbath School Association of Canada. He was ever a most courteous Christian gentleman. In 1880 he left for England, where he remained until his death in March, 1892, aged 83 years. The Executive Committee of the Association, in a resolution, kindly sent to the Editor by Mr. J. J. Woodhouse, thus referred to Mr. Millard's labours: "The Committee recognize the fact that Mr. Millard was present at the first Canadian Sabbath School Convention, held in the City of Kingston in the year 1857. They review with pleasure his long connection with the Association, of his loving and faithful services as Secretary from its formation at Hamilton in 1865 until his retirement in 1880." In that year he went to England to attend the Centenary of Sunday Schools in London, and did not return to Canada.

‡ Contributed by Mr. George M. Furby, Port Hope.

§ Born in February, 1777, he came to Canada with his Father, Asa, in 1798, and was an early settler in the Township of Hamilton, near Cobourg. He was elected to the Upper Canada House of Assembly in 1817 and 1820, and called to the Legislative Council in 1831. He died in 1857, in his 80th year.

man of note in this County. Mr. Alexander Davidson followed. He was the author of a *Spelling Book*, for the copyright of which he sought the protection of the Legislature (see pages 17 and 28.) He went afterwards to Niagara, where he prepared a book of sacred music, or 'Sacred Harmony,' as he called it, which was adopted by the Wesleyan Methodist Church. Subsequently, he became Postmaster of St. Catharines. After him came Mr. Patrick Lee, Mr. R. Maxwell, Mr. George Hugnes, etc."

NOTE.—In some details, this is practically a revision, with later information, of the sketch of Schools in Port Hope which is given on page 319 of the First Volume of this Documentary History.

(The remainder of the sketch will follow in its proper chronological order.)

FIRST COMMON SCHOOLS IN CORNWALL, 1816-1834.

Mr. C. J. Mattice, of Cornwall, says : "No record is now in existence of any of the Common Schools kept before the passing of the Common School Acts of 1816-1820. . . . The old School House that stood on Lot Number Ten, north side of Second Street, was built either in 1816, or 1817. This School House appears to have been sufficient for nearly all the Common School children for several years. In 1834, a School House was built on Lot Number Nineteen, south side of Third Street, and a School was established there in connection with the congregation of the English Church. Other Schools were opened from time to time in different parts of the Town." (See page 230 of the First Volume of this Documentary History.)

SCHOOLS AT DRUMMONDVILLE, AURORA, YORK AND HOPE VILLAGE.

Drummondville (Niagara Falls South) High School.—In a note from Mr. R. K. Orr, B.A., he says : "The Stamford High School (of which he is Head Master) is, as he was informed, the oldest High School in the County of Welland ; and the building in which it is quartered dates back to 1833."

Aurora.—Mr. William Willis writes : "In 1832 the School at Machell's Corners was destroyed by fire. It was replaced by a frame house at Hartman's Corners, one and a quarter miles east, in the Township of Whitechurch. Mr. Moulton was the Teacher." (See page 319 of the First Volume of this History.)

NOTE.—From the following, among other references in the local newspapers of the day, it will be seen that Kindergarten, (or Infant) Schools are no novelty in Toronto.

Infant School at York, 1831-2.—In 1831 Mr. Harvey Shepard originated an Infant School in York, and at a meeting of its promoters in May, 1832, he was warmly thanked for his zealous exertions in the matter. Miss Bliss was also thanked for the admirable specimen which she had given to the meeting of infant tuition. The promoters of the School present were the Reverend Doctor Strachan, the Reverends William Rintoul and Alexander Stewart, and Messieurs Jesse Ketchum, Robert Stanton and Harvey Shepard ; Mr. Ewart, Mr. McLellan and Mr. Tolfree.

In the *Christian Guardian* of the 19th of September, 1832, Mr. H. W. Peterson, of Markham, under date of the 7th of August, makes a number of suggestions in regard to Infant (Kindergarten) Schools. He refers to their internal construction, the gallery, and the apparatus necessary. He also speaks of the qualifications which were desirable in the Superintendent, etc.

Schools in Hope Village, East Gwillimbury.—There are two Schools in Hope ; one for the ordinary branches of Education, and the other, (an industrial School) on a far larger scale, for the instruction of young females in knitting, sewing, spinning, making chip and straw hats and bonnets, spinning wool ; and other useful accomplishments of a like description. Mr. W. L. Mackenzie's "Sketches."

CHAPTER VII.

UPPER CANADA COLLEGE—ITS GOVERNMENT AND ENDOWMENT,
1833.

On page 289 of this Documentary History, an extract is given from page 339 of the Report of the Commissioners, appointed in 1848, by the Chancellor of the University at the time, (Lord Elgin), to "Inquire into the Affairs of King's College University, and of Upper Canada College," to the following effect :

The government of Upper Canada College was, by an order of the Provincial Government, vested in a Board of Managers, designated the "President, Directors and Trustees of Upper Canada College," until March, 1833, when it was transferred to the Council of King's College.

The following is a copy of the correspondence which took place, and, by which, the transference of the government of Upper Canada College to the King's College Council was effected. The first is a letter from Lieutenant-Colonel William Rowan, the Lieutenant-Governor's Secretary, dated Government House, York, 16th March, 1833, and addressed to the Honourable and Venerable Doctor Strachan, President of King's College, as follows :

I am directed to acquaint you that the Lieutenant-Governor has consulted with the President and Directors and Trustees of Upper Canada College, as to the propriety of making an alteration in the provisional government of the College, and that they concur with him in thinking that, under present circumstances, it would be advantageous to transfer the direction of the Institution to the King's College Council. His Excellency, therefore, requests that you will have the goodness to propose this arrangement, and recommend to the Council the adoption of this measure.

This letter having been laid before the King's College Council, it was resolved, after some discussion, that the following answer should be sent by the President to the Lieutenant-Governor, through his Secretary :

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY :

The Council of King's College have deliberated upon the proposition of Your Excellency, conveyed in the letter of Lieutenant-Colonel Rowan, dated the 16th instant, that the direction of Upper Canada College shall be transferred to the Council of King's College, and beg leave respectfully to state that they concur with Your Excellency in opinion upon the expediency of such an arrangement, and consent to assume, in conjunction with Your Excellency, the management of Upper Canada College ; such management to include, as they conceive, all fiscal arrangements. The Council take it for granted that it will be fully understood that it is mainly subsidiary to the chartered University of King's College, that the Upper Canada College will be so regarded by the College Council, and that no risk is incurred of their being subject to the misconstruction of recognizing, by this step, that the existence of the new Institution, in any degree, supersedes the necessity for calling into operation, without delay, the University of King's College, as contemplated by the Charter. On the contrary, they consider that the making of this preparatory system of instruction as efficient as possible, is a natural and expedient course for rendering the establishment of the University more immediately and extensively useful.

The Council further considers it advisable that it should be explicitly understood as to what extent, and in what respects, the College is to be subject to the control of the Council ; the attention of the Council having, with this view, been called to an opinion expressed upon this point

in a Report made to the House of Assembly, in the last session, by a Committee of that Body (see pages 82 and 97 of this Volume). They see no objection to conforming to the recommendation made in that Report, and they accordingly suggest :

“ That it is expedient that the Minor, or Upper Canada, College, shall be incorporated with, and form an appendage of the University of King’s College, and be subject to its instruction and control.

“ That the Principal of the Minor, or Upper Canada, College, shall be appointed by the King during His Majesty’s pleasure, (assuming that he will continue, as at present, a Member of the College Council), that the Vice-Principal and Tutors of the said College shall be nominated by the Chancellor of the University of King’s College, subject to the approval, or disapproval, thereof.

“ That it shall and may be lawful for the Chancellor of the said University for the time being, to suspend or remove either the Vice-Principal or Tutors of the said Minor, or Upper Canada, College, provided that suspension, or removal, be recommended by the Council of the said University, and that the grounds of such suspension, or removal, be recorded at length in the books of the said Council.”

If Your Excellency concurs with the Council in assenting to the suggestions made in that Report, the Council take the liberty of requesting that Your Excellency’s official communication of such assent shall be made to the Council, to be entered in the minutes of its proceedings.

All which is respectfully submitted.

KING’S COLLEGE COUNCIL ROOM,
YORK, 16th March, 1833.

JOHN STRACHAN,
President of Upper Canada College.

MANAGEMENT OF THE ENDOWMENT OF UPPER CANADA COLLEGE.

On page 289 of the First Volume of this Documentary History, a statement is given of the endowments of Upper Canada College, made in the year 1832, 1834, and up to the 16th of May, 1835. This endowment was increased, as stated on that page, by reason of exchanges and re-surveys, up to the date of the Inquiry Commissioners’ Report of 1848, to 63,994½ acres of land in the various parts of the Province.

On the 9th of March, 1833, Lieutenant-Colonel Rowan, Secretary to Sir John Colborne, the Lieutenant-Governor, informed the Honourable Joseph Wells, Bursar of King’s College, that :

A deed for eighteen thousand acres (18,000) of land had been transferred to the Honourable Duncan Cameron, Secretary and Registrar of this Province, part of the endowment sanctioned by His Majesty’s Government for the support of Upper Canada College.*

His Excellency considers that the interests of both Institutions, (King’s College and Upper Canada College,) would be advanced by the remainder of the lands set apart for Upper Canada College, being disposed of through the agency of King’s College Council, and requests to know whether the Council will consent to authorize the lots to be sold by the Bursar, for the benefit of Upper Canada College ?

This letter having been laid by Colonel Wells before the Council of King’s College on the 16th of March, 1833, the following Resolution was passed, in regard to the proposal which it contained :

Resolved, That His Excellency’s recommendation, communicated in Lieutenant-Colonel Rowan’s letter of the 9th instant, “ That the remainder of the lands set apart for Upper Canada College, be disposed of through the agency of the King’s College Council ” be accepted and carried into effect ; and the Bursar is hereby authorized to sell the said lands for the benefit of Upper Canada College.

* The list of lands set apart for Upper Canada College, on page 289 of the First Volume of this Documentary History, contains no statement of 18,000 acres having been set apart for Upper Canada College in 1833. There is, however, an entry of “ 20,000 acres of land in the Townships of Mosa, Ekfrid and Seymour, granted to the College on the 16th of December, 1832.” See also page 104 of this Volume.

Speaking of these transfers and proceedings, (in regard to the government of Upper Canada College, and management of its endowment), the Commissioners, appointed by Lord Elgin, the Chancellor of King's College, in 1848, to inquire into the affairs of both Institutions, say :

The general management of the College was conducted by its own Board of Directors and Trustees, from the founding of the Institution, in 1829, until March, 1833, when, on the recommendation of His Excellency the Lieutenant-Governor, it was transferred to the Council of King's College, by which body it continued to be directed until the 1st of January, 1850.*

The King's College Council, having become invested with full authority to dispose of the lands and funds of Upper Canada College, proceeded with this duty as they did with other business ; that is to say, they left it altogether in the hands of their Bursar. . . .

It could hardly be expected that a Corporation, which had already sufficient duties to perform, would do better for its adopted charge than for its own more closely affianced trust. Whilst, however, the Council did not give that heed to the general course of the Upper Canada College affairs, which the interests of the Institution demanded, they manifested towards the Institution no churlish disposition ; their want of proper attention to the University affairs and interests seems to have protected the College from any evil consequences of defective fiscal administration, and might longer have done so, had not the investigation of 1839 brought to notice the extent to which the funds of the former had been rendered tributary to the latter.† Commissioners' Report, pages 340, 341.

STATE OF THE ENDOWMENT OF UPPER CANADA COLLEGE, 1829-1848.

The original endowment of Upper Canada College, as reported to the House of Assembly in December, 1832, and printed on page 104 of this Volume, was 66,000 acres of land, made up of the following grants :

25,000 Acres in the Township of Seymour.

18,969 Acres in scattered lots, for which a like quantity is reinvested in the Crown in the Township of Seymour.

5,000 Acres in the Township of Blandford.

12,000 Acres in the Township of Java.

5,031 Acres in scattered lots, for which a like quantity is reinvested in the Crown in the Township of Merlin.

66,000 acres.

In the years 1832, 1834 and 1835, specific grants were made, as detailed below, and on page 298 of the First Volume of this Documentary History, which, in the aggregate, amounted to 63,994½ acres, up to the end of 1848, as given in the Inquiry Commissioners' Report of that date, as follows :—

20,000 Acres of land, granted on the 16th of December, 1832.‡

1,080 " " " 4th of July, 1834.

42,188 " " " 16th of May, 1835.

63,268

726½ added on increases from exchange and re-surveys.

63,994½ total endowment up to the date of Commissioners' Report of 1848.

* The members of King's College Council in 1830-1833, were: The Venerable George Okill Stuart, D.D., Archdeacon of Kingston ; the Reverend Thomas Phillips, D.D., Vice-Principal of Upper Canada College ; the Honourable John Beverley Robinson, Chief Justice of Upper Canada ; Messieurs Henry John Boulton, Attorney-General, and Grant Powell ; the Reverend Joseph H. Harris ; Christopher Widmer, M.R.C.S.L. Chancellor, the Lieutenant-Governor ; Visitor, the Lord Bishop of Quebec ; President, the Venerable Arch-deacon Strachan, D.D. ; Bursar, the Honourable Joseph Wells ; Secretary, the Honourable George Herchmer Markland. (Other members were added from time to time.)

† The Commissioners state that the advances made from the University Endowment to Upper Canada College up to July, 1839, were £34,409.15.2, and that the expenditure from the 1st January, 1830, to the same date was £60,262.17.8—one-half of which was for salaries.

‡ This grant is, no doubt, the one referred to at a meeting of the King's College Council, held on the 28th of July, 1831, when the following resolution was passed: "The Council accedes to the arrangement suggested to His Excellency: That the twenty thousand (20,000) acres spoken of are to be granted by patent to the Corporation of King's College, upon the trust mentioned in His Excellency's letter ; and, that with respect to the residue of the sixty-six thousand (66,000 acres) [the old grant as given above, and on page 104,] the College Council would assume the agency of disposing of it for the purposes stated by His Excellency," etc. (Pages 168, 169 of the Inquiry Commissioners' Report of 1848.)

In addition to these lands, Russell Square, Toronto, was given as the site of Upper Canada College in 1829; and in November, 1834, Block D, (north of St. James' Cathedral,) consisting of $5\frac{1}{4}$ acres, was deeded to the Council of King's College, in trust for Upper Canada College, by the Trustees of the Royal Grammar School, who were the Reverend Doctor Strachan, the Honourable George Herchmer Markland and Mr. Grant Powell.*

The Commissioners appointed by Lord Elgin in 1848, thus report, on page 348, the state of the Endowment of Upper Canada College up to the end of 1835 :

	Acres.		Acres.
Grant, dated 16th December, 1832.....	20,000	Acres sold in 1829	106
" " 4th July, 1834.....	1,080	" " 1830	829
" " 16th May, 1835.....	42,188	" " 1831	1,473
	62,268 $\frac{1}{2}$	" " 1832	3,275
Increase from exchanges and re-surveys	726 $\frac{1}{2}$	" " 1833	4,313 $\frac{1}{2}$
		" " 1834	2,577 $\frac{1}{2}$
		" " 1835	2,128
		Balance unsold	49,292 $\frac{1}{2}$
Total acres.....	63,994 $\frac{1}{2}$	Total acres	63,994 $\frac{1}{2}$

* A copy of this Deed is given on pages 27, 28 of the "Statement of Geo. R. R. Cockburn, M.A., Principal of Upper Canada College, to the Committee of the Legislature on Education," published in 1869. In March, 1856, the Grammar School Trustees of Toronto claimed this property; and, in September, 1858, the Governor-General in Council held that, as the Senate of the University was advised, that the title to this property was in it, "it would not be detrimental to the interests of Upper Canada College if the remaining portion of it" (unsold) "were conveyed to the Trustees of the Grammar Schools" in Toronto. This, no doubt, was done. As a matter of fact, the property was originally given for the use and occupation of the District (Grammar) School of York; but, in 1830, by direction of the General Board of Education, (then in existence), part of the property was sold, for the purpose of aiding in the building of Upper Canada College.

For a reference to this sale of part of Block D, which was the site of the Home District (Grammar) School, familiarly known then as *The Old Blue School*, see page 289 of the First Volume of this Documentary History.

Copies of the Deeds for the site of the present University of Toronto, dated in 1828 and 1829, are given in full in the Appendix to a "Report of the Special Committee [of the City Council of Toronto] re Queen's Park and Avenue," dated the 28th of June, 1888." They will be given in that part of this Volume dealing with the proceedings of 1842 and 1843, when King's College was built and opened.

† This statement of the endowment of Upper Canada College is given more in detail on page 289 of the First Volume of this Documentary History.

CHAPTER VIII.

EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA
LEGISLATURE, 1833.

The fourth session of the Eleventh Parliament of Upper Canada, was opened on the 19th of November, 1833, by Sir John Colborne, Lieutenant-Governor. In his Speech from the Throne, he said :

The important subject of Public Education, which has in several Sessions occupied much of your attention, demands your early notice and consideration, particularly the questions which relate to the revision of the system of Township Schools—the application of the proceeds of sales of School Lands for the support of Superior District (Grammar) Schools, and the requisite extension of the Royal Charter, under which the University is at present established.

With respect to these points, and to the immediate course which you may suggest to ensure the opening of the University, sanctioned by a Charter, framed on more comprehensive principles than that which has been granted, there can be no doubt, that, as the Province is fully prepared to reap the benefits which were intended to be conferred on it by the establishment of King's College, His Majesty will readily give effect to any measures proposed by you regarding its future government, and the appropriation of School Lands that may tend to promote the purposes of the Institution, or add to the advantages which the Colony, under the blessing of Providence, enjoys by facilitating the diffusion of Education among all classes.

19th November, 1833.—Mr. Mahlon Burwell gives notice that he will, on Monday next, move for the appointment of a Select Committee of five Members, on the subject of Education and the School Lands in this Province, with power to send for persons and papers, and to report by Bill, or otherwise.

Mr. William Morris, gives notice that he will, on Thursday next, move for the reading of that part of the Journals of last Session, which contains the Despatch of the Right Honourable Lord Goderich, His Majesty's Principal Secretary of State for the Colonies, in answer to the Address of this House, of the 13th of February, 1832, on the subject of School Lands.

Mr. William Morris, seconded by Mr. Charles Duncombe, moves that the Speech of His Excellency be referred to a Committee of the Whole House, on Thursday next, which was ordered.

20th November, 1833.—Mr. Charles Duncombe gives notice that he will, on the last Thursday in this month, move for leave to bring in a Bill authorizing, establishing and endowing a Deaf and Dumb School in this Province.

22nd November, 1833.—Agreeably to notice, Mr. William Morris, seconded by Mr. Alexander Fraser, moves that the Journals of last Session, containing the Despatch of the Right Honourable Lord Goderich, of the 5th July, 1832, in answer to the Address of this House of the 23rd of December, 1831, and transmitted to the Colonial Secretary, on the 13th of February, 1832, respecting School Lands, be now read ; which was carried, and the Journal was read. (See page 72.)

Mr. William Morris, seconded by Mr. Alexander Fraser, moves that the House do, on to-morrow, resolve itself into a Committee of the Whole, on the Despatch of the Right Honourable Lord Goderich, dated, Downing Street, 5th of July, 1832, respecting the School Lands, now read, which was ordered.

Agreeably to the Order of the Day, the House went into Committee of the Whole, on the consideration of His Excellency's Speech, and a series of resolutions thereon were reported.

Mr. William Morris, seconded by Mr. William Bercey, moves that Messieurs Hugh C. Thomson and William Elliott, be a Committee to draft and report an Address to His Excellency in answer to his Speech from the Throne, which was ordered.

23rd November, 1833.—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, in answer to His Excellency's Speech from the Throne at the opening of the present Session, was read the third time and passed. [That part of it relating to Education is as follows] :

The important subject of Public Education which has, in several Sessions, occupied much of our attention, shall not fail to receive our early and most anxious consideration, particularly the means by which an improved system of Township (Common) School Education may be best promoted; and also the application of sales of School Lands to that object; as well as the endowment and support of Free Grammar Schools in the several Districts; the requisite

extension of the Royal Charter of King's College shall, as heretofore, receive our most deliberate consideration; and we cannot but express the pleasure we derive from Your Excellency's assurance that His Majesty will readily give effect to any measure proposed by the Legislature, regarding its future government, and the appropriation of School Lands to promote the purposes of the Institution.

Agreeably to the Order of the Day, the House went into Committee of the Whole, on the Despatch from His Majesty's Secretary of State for the Colonies, on the subject of lands set apart for School purposes (on page 72). Mr. William B. Robinson, was called to the chair.

The House having resumed, the Chairman reported progress, and obtained leave to sit again on Monday next.

28th November, 1833.—Mr. William H. Merritt brought up the Petition of Mr. George Keefer, and eight others, Trustees of the Grantham Academy, which was laid on the Table.

Agreeably to notice, Mr. Mahlon Burwell, seconded by Mr. Hugh C. Thomson, moves that a Select Committee be appointed on the subject of Education, and the School Lands in this Province, with power to send for persons and papers, and to report by Bill, or otherwise; and that Messieurs John Willson, George S. Boulton, Allan N. Macnab and Asa Werden, do constitute the said Committee, which was ordered.

Agreeably to the Order of the Day, the House went a second time into Committee of the Whole, on the Despatch from His Majesty's Secretary of State for the Colonies, in answer to an Address of this House on the subject of School Lands. (Page 72). Mr. William Elliott was called to the chair.

The House having resumed, the Chairman reported progress, and obtained leave to sit again to-morrow.

30th November, 1833.—Agreeably to the Order of the Day, the Petition of Mr. George Keefer and eight others, Trustees of the Grantham Academy, praying for pecuniary aid towards the support of said Institution, was read.

Agreeably to the Order of the Day, the House went again into Committee of the Whole, on the Despatch from His Majesty's Government, (dated the 5th of July, 1832, page 72) relative to the lands reserved for School purposes. Mr. Reuben White was called to the chair.

The House having resumed, Mr. White reported that the Committee had agreed to a series of Resolutions, which he was directed to submit for the adoption of the House. The Report was received. The first Resolution was then read as follows:

1. *Resolved*, That it is gratifying to this House to learn by the Despatch of the Right Honourable Lord Goderich (of the 5th of July, 1832), that His Majesty has been pleased to express, in answer to the Address of this House of the 23rd December, 1831, His Gracious desire that the sums arising from the sale of that portion of the School Lands which has not already been alienated, should be paid into the hands of the Receiver-General, to be applied in the promotion of Education, in such manner as the Legislature may direct. (See page 72.)

In amendment, Mr. Mahlon Burwell, seconded by Mr. George S. Boulton, moves that after the word "Resolved" in the original resolution, the remainder be expunged, and the following inserted: "That the munificent Grant made by His late Majesty in 1797, (for the establishment of an University and Free District Grammar Schools, as a preliminary step, was laying the foundation for perfecting a general system of Education, calculated to promote the growth of that moral, intellectual and physical greatness, for which Providence seems to have designed this Province, in an eminent and peculiar degree), was a distinguished mark of His Majesty's Royal favour and paternal care for the good of His subjects, and a proof of the wisdom of the great Statesman under whose auspices the Grant was made, which will be remembered with gratitude by the people of this Province of their latest posterity;" on which the yeas and nays were taken as follows: Yeas, 5; Nays, 18. (The Yeas were Messieurs Burwell, G. S. Boulton, Jarvis, Thomson and Werden.) The original Resolution was carried by a vote of 18 Yeas to 4 Nays (Messieurs Burwell, G. S. Boulton, Jarvis and Thomson.)

The second Resolution was then read as follows:

2. *Resolved*, That it appears, by a statement sent down to this House by His Excellency the Lieutenant-Governor (on the 17th of December, 1832, page 101), that the whole reservation of School Lands amount to 740,275 acres, of which there have been conveyed:

As grants to individuals.....	170,719 Acres.
To the University of King's College.....	225,944 "
To Upper Canada College.....	66,000 "
To Surveyors, for Surveying.....	19,282 "
And remaining applicable to the support of Free Grammar Schools in various Districts	258,330 "

740,275 Acres.

And it is, therefore, obvious that an inconsiderable portion of the whole reservation has been left for purposes, which, in the minds of those individuals who made the Legislative application in the year 1797, as well as in that of the Royal Donor, took precedence of every other object, and were entitled to a much more valuable endowment.

In amendment, Mr. Mahlon Burwell, seconded by Mr. George S. Boulton, moves that after the word "Resolved" in the original motion, the remainder be expunged, and the following inserted: "That the Legislature and Provincial Authorities have uniformly manifested an anxiety for the establishment of an University in this Province; that it formed part of the prayer of both Houses in their Address to the King in 1797, and was strongly recommended by the Executive Government, the Judges, and Law Officers of the Crown, in 1798." (See Volume One of this Documentary History, pages 17-20.)

On which the yeas and nays were taken as follows: Yeas, 5, (names same as before); Nays, 21. The amendment was therefore lost by a majority of 16. The original Resolution was carried by a vote of 23 Yeas to 3 Nays. (Messieurs Burwell, G. S. Boulton and Werden.)

The third Resolution was then read as follows:

3. *Resolved*, That of the quantity of land remaining for the support of Education in the several Districts of the Province, 186,902 acres, are in the Townships of Sheffield, Bedford, Merlin and Proton; and, as the lands in these Townships are understood to be of bad quality, compared with the lands which have been alienated, the means which may be derived from their sale, cannot answer the object which His Majesty's Government contemplated, in complying with the joint application of the Legislature in 1787 for a grant, to establish in the first instance, Free Grammar Schools in the several Districts, and in due process of time a Provincial Seminary ["seminaries" in the original grant] of a more comprehensive nature. (See First Volume of this Documentary History, page 17.)

In amendment, Mr. Mahlon Burwell, seconded by Mr. Hugh C. Thomson, moves that after the word "Resolved" in the foregoing original Resolution, the remainder be expunged, and the following inserted: "That, in 1806, the Legislature, to show that something more was even then required than Grammar Schools, passed an Act, providing from their limited means, a small apparatus for the instruction of youth in Physical Science,* that they might enter the world with something more than a Common District (Grammar) School Education."

On which the yeas and nays were taken as follows: Yeas, 5, (names as before); Nays, 20; majority against the amendment, 15. The original Resolution was carried by a vote of 23 Yeas to 2 Nays, (Messieurs Burwell and Boulton).

The fourth Resolution was then read as follows:

4. *Resolved*, That it appears by the said statement, that for the endowment of King's College, and for other purposes, exchanges of the School Lands have been made,† which have had the effect of reducing the appropriation so much, that the just expectations of the inhabitants of the Province can never be realized without the interposition of His Majesty's Government, by restoring to the several Districts the lands set apart in 1797 by His late Majesty King George the Third, for the endowment and support of Free District Grammar Schools.

In amendment, Mr. Mahlon Burwell, seconded by Mr. William B. Jarvis, moves, that after the word "Resolved" in the foregoing original Resolution, the remainder be expunged, and the following inserted: "That, in 1820,‡ the Legislature passed an Act for increasing the Representation of the Commons of this Province in the House of Assembly, in which it was enacted, that whenever an University shall be organized, and in operation, as a Seminary of Learning in this Province, and in conformity to the rules and statutes of similar Institutions in Great Britain, it shall and may be lawful for the Governor, Lieutenant-Governor, or person administering the Government of this Province for the time being, to declare by Proclamation, the tract of land appendant to such University, and whereupon the same is situated, to be a Town, or Township, by such name as to him shall seem meet, and that such Town, or Township, shall be represented by one Member, which is now the law of the Province."

On which the yeas and nays were taken as follows: Yeas, 5 (Messieurs Burwell, Boulton, Jarvis, Macnab and Werden); Nays, 19. The amendment was lost by 14 votes, and the original Resolution was carried by a vote of 21 Yeas to 4 Nays, (Messieurs Burwell, Boulton, Jarvis and Macnab).

The fifth Resolution was then read as follows:

5. *Resolved*, That the establishment at the Capital of the Province, of a University, endowed with the greater part of all the valuable School Lands reservation, may confer much benefit on

* First Volume of this Documentary History, pages 56 and 132.

† *Ibid*, pages 138 and 174.

‡ *Ibid*, pages 203, 205, 211.

the inhabitants in its immediate vicinity, and also on the wealthier part of the population, who are more remote, but cannot, at present, answer the intentions which actuated His Majesty in making the grant in 1797, inasmuch as the people resident in distant parts of the country have no opportunity of giving to their sons a preparatory course of instruction, even if it were, in every respect, convenient and agreeable to send them many hundred miles to attend the University.

In amendment, Mr. Mahlon Burwell, seconded by Mr. George S. Boulton, moves that after the word "Resolved" in the original motion, the remainder be expunged, and the following inserted: "That, in 1825, the Executive Government, with a view of carrying His Majesty's gracious intentions into effect, and to promote the best interests of the youth of this flourishing Province, applied to His Majesty for a Royal Charter for the University, which was granted in 1827."*

On which the yeas and nays were taken as follows: Yeas, 5, (names as before); Nays, 20. The amendment was, therefore, lost by 15 votes. The original Resolution was carried by a vote of 19 Yeas to 5 Nays (names as before).

The sixth Resolution was then read as follows:

6. *Resolved*, That for the reasons set forth in the foregoing Resolutions, as well as for many others, which might be adduced, this House is constrained to represent to His Majesty, the serious injustice of the measure which deprived the people of Upper Canada of that munificent grant of land which was set apart, in 1797, for the diffusion of Education, by the endowment of Free Grammar Schools in the several Districts.

It is, therefore, necessary to acquaint His Majesty, that the primary object, for which these lands were set apart has hitherto been neglected; and, by far the most important and valuable portion of them alienated for the immediate establishment of an Institution, which was intended, not only by the joint application of the Legislature in the year 1797, but by the answer of His Majesty in the same year, should be endowed after the Free Grammar Schools (in the Districts) were provided for.

In amendment, Mr. Mahlon Burwell, seconded by Mr. George S. Boulton, moves, that after the word "Resolved" in the original Resolution, the remainder be expunged, and the following inserted: "That the thanks of this House were voted to His Majesty in 1829,† for His gracious intentions in erecting and endowing a University in this Province, in the terms of which Charter, this House, however, did not concur; and, in a series of Resolutions, stated in detail, the various reasons which induced their dissent, the material part of which reasons this House now approves."

On which the yeas and nays were taken as follows: Yeas, 4, (Messieurs Burwell, Boulton, Jarvis and Werden); Nays, 22; lost by 18 votes; but the original Resolution was carried by a vote of 23 Yeas to 3 Nays, (Messieurs Burwell, Boulton and Werden).

The seventh Resolution was then as follows:

7. *Resolved*, That, though unwilling to trespass on the time of His Majesty, so important in our estimation is this subject to the best interests of His faithful subjects in this Province, that we feel bound by the most sacred obligations of duty as Representatives of the people, to express to His Majesty our opinion, that the buildings erected by His Excellency the Lieutenant-Governor for Upper Canada College, are sufficiently extensive and commodious to answer every purpose of a University; and they ought, therefore, to be applied to that object, and thus prevent the vast expenditure which is contemplated in the construction of buildings for the University of King's College; and that Upper Canada College may, under existing circumstances, most properly be designated the University of King's College, and be endowed, as such, by the Legislative of the Province, out of the School Lands.‡

In amendment, Mr. Mahlon Burwell, seconded by Mr. George S. Boulton, moves, that after the word "Resolved" in the original Resolution, the remainder be expunged, and the following inserted: "That an appropriation of 225,944 acres of land has been set apart by His Majesty's Government, and granted by Patent as an endowment to the University of King's College."

On which the yeas and nays were taken as follows: Yeas, 5, (Messieurs Burwell, Boulton, Donald Fraser, Jarvis and Macnab); Nays, 20; lost by 15 votes.

* First Volume of this Documentary History, page 205.

† *Ibid*, page 274.

‡ This Resolution clearly endorses the action of the House of Assembly, in passing the "Upper Canada College Bill" on the 2nd of March, 1830. The Eleventh Section of that Bill provided "that the said College shall be deemed and taken to be an University," etc. This Bill was unanimously rejected by the Legislative Council on the 4th of March, 1830. (See pages 301, 305 and 312 of the First Volume of this Documentary History.) It was an effort, as had been expressed, to avoid the expense of building a University.

In further amendment to the original Resolution, Mr. James H. Samson, seconded by Mr. William Berczy, moves that after the word "Resolved" in the original, the whole be expunged, and the following be inserted: "That it is the opinion of this House, the buildings erected for Upper Canada College, under the direction of His Excellency the Lieutenant-Governor, are sufficiently extensive and commodious to answer, for the present, all the purposes of an University; and that, if the same were incorporated with, and declared a part of King's College, it would render unnecessary for a considerable period the contemplated expenditure in the construction of buildings for that Institution.

On which the yeas and nays were taken as follows: Yeas, 7, (Messieurs Burwell, Boulton, Berczy, Jarvis, Jones, Macnab and Samson); Nays, 18; lost by 11 votes. The original Resolution was carried by the same vote.

The eighth Resolution was then read as follows:

8. *Resolved*, therefore, That an humble Address be presented to His Majesty, in pursuance of these Resolutions, and imploring His Majesty to direct such measure as to Him may seem meet, for the restoration of the lands originally set apart for the support of Free Grammar Schools; or, in the event of its impracticability, with respect to lands granted to individuals, to direct that an appropriation of equal value be made for that purpose; and also to convey to His Majesty the earnest hope of this House, that His Majesty may be pleased to appoint Commissioners to ascertain the value of any lands which may be granted in lieu of those which have been taken from the Free District Grammar Schools.

In amendment, Mr. Mahlon Burwell, seconded by Mr. George S. Boulton, moves, that after the word "Resolution" in the original Resolution, the remainder be expunged, and the following inserted:

"(1) That the youth of this Province, and the rising generation, would suffer irreparable injury, were this House to prevent an Institution so calculated to bestow upon the people the most important and lasting benefits (as King's College), an Institution so effectually endowed with a valuable and munificent grant from the King, to remain any longer unavailable to His Majesty's subjects, or any longer to allow the funds to lie dormant and useless, which have been granted by His Majesty for its support.

"(2) That it would be exceedingly unwise, unjust and impolitic in this House to interfere with the grant which has been so long secured to the University of King's College by Patent; as besides the impropriety of an attempt at touching rights so solemnly and effectually vested, the delay it would occasion would inflict further injury on the youth of this Province.

"(3) That in the opinion of this House, the deficiency in the appropriation originally set apart for free District Grammar Schools would be readily supplied, on respectful application being made to His Majesty for that purpose; and that this House do address His Majesty, humbly imploring that His Majesty will be most graciously pleased to direct that the appropriation of School Lands be restored to its original quantity, admitting of no deduction whatever, but that of the endowment of the University of King's College; and that such portions as are found bad, or indifferent, or unfavourably situated, be exchanged for Crown Reserves, not already disposed of, or for such other Crown Lands as are known to be good and available."

On which the yeas and nays were taken as follows: Yeas, 4, (Messieurs Burwell, Boulton, Jarvis and Macnab); Nays, 22; lost by 18 votes. The original resolution was carried by a vote of 21 Yeas to 5 Nays, (Messieurs Burwell, Boulton, Jarvis, Jones and Macnab).

RESOLUTIONS IN REGARD TO THE ROYAL GRANT OF 1797, AND ITS DISPOSITION.

This series of Resolutions, proposed by the Select Committee on Education, to which was referred Lord Goderich's Despatch of the 5th of July, 1832 (page 72,) are historically interesting. But the practical conclusion at which the Committee arrived is no less interesting—based as it was upon the not very satisfactory history of the Royal Grant of 1797. It was highly creditable to the Committee and to their far-sightedness, as well as to their patriotic solicitude as to the future.

The Committee saw that the noble patrimony of over half a million of acres of land, granted by King George the Third, with subsequent additions, had, apparently, been carelessly dissipated, until not one-half of what had been set apart, or "reserved," remained. Anxious to provide alike generously for Educa-

tion in the future, the Committee, therefore, sought to move the House of Assembly to implore His Majesty, out of his almost boundless domain, to make good the waste, and also to supply the deficiency, caused by grants to individuals, to surveyors and Institutions, (such as the "National" School, the Royal Grammar School, and to Upper Canada College,) not thought of when the original grant was made to the Province, in 1797.

The series of amendments, proposed to the Resolutions, are no less interesting than are the Resolutions themselves. Together, they give us a bird's-eye view of the educational situation of the time, and that, too, from the respective stand-points of the two representative parties in the House of Assembly, sixty years ago.

Mr. William Morris, seconded by Mr. Alexander Fraser, moves, that Messieurs William Crooks and William Elliott be a Committee to draft and report an Address to His Majesty, founded on the foregoing Resolutions, which was ordered.

2nd December, 1833.—Mr. William Crooks, from the Committee to draft an Address to His Majesty on the subject of the School Lands and Upper Canada College, reported a draft which was received and read twice.

Mr. James H. Samson, seconded by Mr. William Berczy, moves that the Address to His Majesty on the subject of School Lands, be referred to a Committee of the Whole House on to-morrow, and that it be the first item on the Order of the Day, after referring Petitions, which was ordered.

3rd December, 1833.—Agreeably to the Order of the Day, the House went into Committee of the Whole, on the Address to His Majesty, on the subject of School Lands, and the University of King's College. Mr. William Elliott was called to the chair.

The House having resumed, Mr. Elliott reported the Address as amended. On the question of receiving the Report, the yeas and nays were taken as follows: Yeas, 23; Nays, 5, (Messieurs Burwell, Boulton, Jones, Macnab and Robinson). The original Resolution was carried by a majority of 18; and the Address was ordered to be engrossed, and read a third time to-morrow.

Mr. Peter Perry brought up the Petition of Mr. Joseph McDougall, and one hundred and sixty-seven others, Roman Catholic inhabitants of York, which was laid on the Table.

The Petition of the Trustees of the Grantham Academy was referred to Messieurs John Clark and Mahlon Burwell as a Special Committee.

4th December, 1833.—Agreeably to the Order of the Day, the Address to His Majesty on the subject of School Lands and the erection of King's College was read the third time.

Mr. James H. Samson, seconded by Mr. Henry Jones, moves that the Address do not now pass, but that the same be amended by striking out all after the words "provided for," and inserting the following: "From the absence of Free Grammar Schools throughout the Province, we regret that Your Majesty's subjects in Upper Canada are not prepared to reap the benefits justly anticipated from the establishment of an University; yet, having the means to establish a well regulated system of elementary Education in our own power, we look forward with confidence and satisfaction to a period not far distant, when the youth of the Province shall be qualified to derive from King's College all the advantages of the higher branches of Education and Science.

"2. The buildings at present erected in the Town of York, for the preparatory school, usually called Upper Canada College, will, for some years, be found sufficiently extensive and commodious for the wants of the Province.

"3. We should therefore humbly entreat Your Majesty, to recommend a delay in the erection of buildings for an University, until the Legislature shall deem it desirable to carry the beneficent intentions of Your Majesty's late Royal Father in 1797, fully into effect. When that time shall arrive, it would be very desirable that Upper Canada College should compose part of, and be incorporated with, King's College.

"4. Keeping constantly in view the ultimate establishment of King's College, as the second object to which the appropriation was originally intended to be applied, we would humbly beseech Your Majesty to direct such measures as may lead to the restoration of the lands reserved for the purposes of Education, in order that the same may be placed at the disposal of the Legislature.

"5. Should it, from any cause, be found impracticable to grant this request, we implore Your Majesty to direct that an appropriation of lands of equal value be made, and that Commissioners be appointed to ascertain and assign the relative value, as well of the lands diverted from the primary object of the original appropriation, as of those which Your Majesty may be graciously pleased to grant in lieu of the same; that the remaining portion of the lands originally set apart, in 1797, being reported to be generally of a very inferior quality, we would further pray Your Majesty, that the same may be exchanged for lands of a better description, and in more eligible situations.

"6. A fund so extensive will enable the Legislature to give immediate encouragement to Education, and diffuse instruction to all parts of the Province, and, at the same time, to retain ample means to ensure the ultimate erection and successful establishment of the University of King's College."

On which the yeas and nays were taken as follows: Yeas 10, (Messieurs Burwell, Boulton, Berczy, Duncombe, Jones, Macnab, Roblin, Samson, Thomson and Vankoughnet.) Nays 20, lost by 10 votes. The original Resolution was carried by a vote of 22 yeas to 7 nays; (Messieurs Burwell, Boulton, Jones, Macnab, Robinson, Thomson and Vankoughnet.)

The question was carried in the affirmative by a majority of fifteen, and the Address to the King was adopted and signed by the Speaker.

I have already on page 70 referred to the character of this appeal to the King. It points out very properly that the Imperial grant of 1797 had failed to realize the design of the Royal Donor, for, as yet, not a single Free Grammar School had been established in any one of the Districts of the Province,—that the Imperial grant had in part been applied to the enlargement of the Royal Grammar School of York into Upper Canada College, and for other School purposes, not contemplated when the original grant was made. The prayer of the Petition, or Address, to the King was, therefore, that a further grant of land should be made, and that the expenditure on Upper Canada College should be considered as equivalent to an expenditure for the University of King's College, and that this Upper Canada College should be declared to be the University, contemplated by the Royal Grant of 1797, and, as provided in the Act to that effect, passed by the House of Assembly in March, 1830. This scheme, it will be remembered, was repudiated by the Legislative Council, for the reasons given on page 305 of the First Volume of this Documentary History of Education; (see also page 301 of this Volume.) The Address to the King, as adopted, is as follows:

To the King's Most Excellent Majesty:

MOST GRACIOUS SOVEREIGN:

We, Your Majesty's most dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, most humbly beg leave to approach Your Majesty, to express our gratification at the information conveyed by Your Majesty's Principal Secretary of State for the Colonies, that Your Majesty, in answer to our Address of the 23rd December, 1831, (pages 40 and 72,) has been graciously pleased to express your desire that the sums arising from the sales of that portion of the School Lands, which has not already been alienated, should be paid into the hands of the Receiver-General, to be applied to the promotion of Education, in such manner as the Legislature may direct.

2. We have to acquaint Your Majesty that it appears, by a statement sent down by His Excellency the Lieutenant-Governor, in December, 1832, (page 104,) that

The whole reservation of School Lands amounted to	740,275 acres.
Of which it would seem there has been conveyed to individuals	170,719 "
To the University of King's College	225,944 "
To Upper Canada College	66,000 "
To Surveyors for surveying	19,282 "
Leaving for the support of Free Grammar Schools	258,330 "

Total 740,275 acres, as above.

3. It is, therefore, obvious that a very inconsiderable portion of the whole of the reservation has been left for purposes which, in the minds of those individuals who made the legislative application in the year 1797, to His late Majesty, (Your Majesty's predecessor), as well as in that of the Royal Donor, took precedence of every other object, and were entitled to a much more valuable endowment. Of the quantity of land thus remaining for the support of Education in the several Districts of the Province, 186,902 acres are in the Townships of Sheffield, Bedford, Merlin and Proton, and are reputed to be of exceedingly bad quality, compared with the lands which have been alienated; consequently, the means which may be derived from their sale will frustrate the object which His late Majesty's Government contemplated, in complying with the joint application of the Legislature in 1797, for a grant of land, to establish in the first instance, "Free Grammar Schools in the several Districts . . . and, in due process of time, other Seminaries of a larger and more comprehensive nature."

4. We would further observe to Your Majesty, that, upon an examination of the statement alluded to, it appears that, for the endowment of King's College, and for other purposes, exchanges of the School Lands have been made,* which have had the effect of reducing the appropriation so much that the just expectations of the inhabitants of the Province can never be realized without the interposition of Your Majesty's Government, by restoring the lands set apart by Your Majesty's late Royal Father for the endowment and support "of free District Grammar Schools, and in due process of time, for establishing other Seminaries of a larger and more comprehensive nature."

5. The establishment, at the capital of the Province, of a University endowed with the greater part of all the valuable School Lands reservation, may confer much benefit on the inhabitants of its immediate vicinity, and also on the wealthier part of the population, who are more remote, but it cannot, at present, answer the intentions which actuated Your Majesty's Royal Father when the lands were appropriated, inasmuch as the people resident in distant parts of the country have no opportunity of giving to their sons a preparatory course of instruction, even if it were, in every respect, convenient to send them many hundred miles to attend the University.

6. For these reasons, as well as for many others which might be adduced, we are constrained to represent to Your Majesty the serious injustice of the measure which deprived the people of Upper Canada of that munificent grant of land which was set apart for the diffusion of Learning by the endowment of Free Grammar Schools in the several Districts; and we deem it necessary to inform Your Majesty, that the primary object for which these lands were reserved, has hitherto been neglected, and by far the most important and valuable portion of them alienated from the immediate establishment of an Institution, which, it is intended, not only by the joint application of the Legislature in the year 1797, but by the answer of His Majesty's Principal Secretary of State for the Colonies, (the Duke of Portland,) in the same year, should be endowed after the Free Grammar Schools were provided for.

7. We are unwilling to trespass on the time of Your Majesty; but this subject is, in our estimation, so highly important to the best interests of Your Majesty's faithful subjects in this Province, that we feel bound by the most sacred obligations of duty, as Representatives of the people, to express to Your Majesty our opinion that the buildings erected in York, for Upper Canada College are, at present, sufficiently extensive and commodious to answer every purpose of a University, and ought, therefore, to be applied to that object, and thus prevent the vast expenditure which is contemplated in the construction of buildings for the University of King's College, and that Upper Canada College may, under existing circumstances, most properly be designated "The University of King's College," and be incorporated and endowed as such, by the Legislature of the Province, out of the general funds arising from the sale of School Lands.†

8. We, therefore, humbly implore Your Majesty to direct such proceedings as to Your Majesty may seem consistent with justice to the people of Upper Canada for the restoration of the lands originally set apart for the purposes before mentioned, together with the proceeds of all such portions as may have been sold or leased by the Corporation of King's College, or the Executive Government, or, in the event of its impracticability, with respect to lands granted to individuals, to direct that an appropriation of equal value be made for that purpose; and also to convey to Your Majesty our earnest hope that Your Majesty may be pleased to appoint Commissioners to ascertain the value of any lands which may be granted, in lieu of those which have been alienated.

ARCHIBALD MCLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
YORK, U. C., 4th December, 1833.

* Documentary History of Education in Upper Canada, Volume I, pages 203, 205, 211 and 317.

† See note * on page 135.

Mr. William Morris, seconded by Mr. Alexander Fraser, moves that an Address be presented to His Excellency the Lieutenant-Governor, informing His Excellency that this House has passed an Address to His Majesty, on the subject of School Lands and the University, and requesting that he will be pleased to transmit the same to His Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne, and that Messieurs William Crooks and William Elliott, be a Committee to draft and report the same, which was ordered.

Mr. William Elliott, from the Select Committee to draft an Address to His Excellency the Lieutenant-Governor, praying His Excellency to transmit the Address to His Majesty, on the subject of School Lands and the University, reported a draft, which was received, read twice and ordered to be engrossed and read a third time to-morrow.

5th December, 1833.—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant-Governor, requesting His Excellency to transmit the Address to His Majesty, on the subject of the School Lands reservation and King's College, was read the third time and passed, and signed by the Speaker and is as follows :

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc :

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, have passed an Address to His Majesty, on the subject of the appropriation of lands in 1797, for the support "of Free Grammar Schools, and, in due process of time the establishment of other Seminaries of a larger and more comprehensive nature."

And we request that Your Excellency may be pleased to transmit the same to His Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

ARCHIBALD McLEAN,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
5th December, 1833.

Mr. William Morris, seconded by Mr. Charles Duncombe, moves that Messieurs William H. Merritt and William Crooks, be a Committee to wait on His Excellency the Lieutenant-Governor, to know when he will be pleased to receive this House, with the Address to His Majesty on the subject of the School Lands appropriation, and King's College, which was ordered.

ROMAN CATHOLIC TITHES, AND A SCHOOL IN YORK, 1833.

Agreeably to the Order of the Day of the 3rd of December, 1833 the Petition of Mr. Joseph McDougall, and one hundred and sixty-seven others, Roman Catholic inhabitants of the Town of York, praying that a law may be passed abolishing the payment of Tithes in the Province to the Roman Catholic Clergy, that the one thousand pounds (£1,000) granted to that denomination, may be laid out in establishing a School in the Town of York, and for the purposes of Education, and that their Priests may receive no emolument from the State. (Page 137.)

Mr. Peter Perry, seconded by Mr. Peter Shaver, moves, that the Petition of Mr. Joseph McDougall and one hundred and sixty-seven others, members of the Roman Catholic persuasion of the Town of York, be referred to a Select Committee, with power to send for persons and papers, and with leave to report thereon by Bill, or otherwise, and that Messieurs Jesse Ketchum, William Buell, William Elliott and R. D. Fraser, do compose said Committee.

In amendment, Mr. William Morris, seconded by Mr. R. D. Fraser, moves, that the whole of the original motion, after the word "moves" be expunged, and the following be inserted instead thereof : "that the Petition of Mr. Joseph McDougall and others be referred to a Committee of seven Members, to be appointed by ballot at 12 o'clock to-morrow; and that the said Committee have power to send for persons and papers, and to report thereon by Bill, or otherwise."

On which the yeas and nays were taken as follows : Yeas, 2, (Messieurs R. D. Fraser and William Morris) ; Nays, 31 ; lost by a majority of 29.

In further amendment, it was moved by Mr. William Buell, seconded by Mr. R. D. Fraser, that the name of Buell be struck out of the original motion and that of Duncombe be inserted, which was lost. The original motion being put was lost by a vote of 15 yeas to 20 nays ; so that nothing was done, as prayed for in the Petition ; and the matter was thereby dropped.

The only information which I have been able to procure in regard to this Petition is contained in the evidence of Mr. James King, Barrister-at-Law, given

before the "Select Committee on Grievances," early in 1835, of which Mr. William Lyon Mackenzie was Chairman. Mr. King was examined on the 10th of February, 1835, as follows :

Question 231.—Were you a Petitioner to the House of Assembly [on the 3rd of December of] last Session complaining of the misapplication of the public moneys granted to the Roman Catholic Clergy and School Masters ?

Answer.—I was. Upon a motion to refer it to a Special Committee of Enquiry, the House refused to commit it. It was signed by the Roman Catholic laity generally, at least by all who were applied to. The Petition complained of His Majesty's supremacy over the Church—of tithes payable to the Roman Catholic clergy—of the misapplication of one thousand pounds (£1,000) sterling, granted for the support of the Clergy Schools—that no Roman Catholic School House had been erected in this city . . . an additional allegation was, that there were few, if any, Catholic Schools in the Province.

Question 232.—Do you know what Roman Catholic Schools have been established from the proceeds of the Royal Bounty ? *

Answer.—I have never heard of any in the Province.

6th December, 1833.—Mr. Mahlon Burwell, from the Select Committee on Education informed the House that the Committee had agreed to a Report on the subject—the draft of an Address to His Majesty, and to a Bill ; all of which he was ready to submit, whenever the House would be pleased to receive the same. The Report, having been received, was read as follows :

FIRST REPORT OF THE SELECT COMMITTEE ON EDUCATION, 1833.

To the Honourable the Commons House of Assembly :

The Committee to whom was referred the important subjects of Education, and the School Lands, beg leave to report a Bill for the establishment, maintenance and regulation of the Common Schools, by which they propose repealing all the existing laws relating to that subject.

2. By the present law, the annual charge against the public revenue for the service of Common Schools is eight thousand five hundred and fifty pounds (£8,550=£34,200).

3. Your Committee propose adding to this charge the sum of fourteen hundred and fifty pounds (£1,450=£6,800), making an annual charge against the Provincial funds of ten thousand pounds (£10,000=£40,000) ; and your Committee propose that the sum of ten thousand pounds (£10,000) shall be raised by assessment, by order of the Quarter Sessions in the several Districts, on the ratable property, in the same manner as other assessments are now raised.†

4. In making up their minds upon this important part of the scheme of Common School Education, by assessment upon the people, which the Bill proposes to establish, your Committee were very forcibly struck with the reasoning of the Reverend Doctor Chalmers, in his Essay published in 1819, entitled, "Considerations on the System of Parochial Schools in Scotland," and they take the liberty of transcribing the Doctor's own words, as applicable to a system of Common School Education in this Province.

5. In treating of a system of free (or gratuitous) Schools, he says :

"It both spares the population the necessity of making the first movement after scholarship for their children, and it spares them the necessity of surrendering, for this object, any portion of their subsistence.

"For the completion of such a system, it were enough that Schools and School Houses should be built in every little district of the land, and such a salary provided for the Teachers as, without the exaction of any fee, would enable them to render a full supply of scholarship to the families at the public expense.

* In a letter from the Honourable and Right Reverend Alexander McDonell, D.D., Bishop of Regiopolis, to the Very Reverend William J. O'Grady, D.D., Vicar-General, dated the 1st of December, 1830, he says : "After receiving the Prince Regent's thanks for my own conduct in defence of the Province during the late war (of 1812) the Colonial Minister, Earl Bathurst, increased my own salary, and sent orders to the Executive Government of the Province to pay so much annually to a certain number of Catholic Clergymen and Teachers, that I was to recommend. . . ." See *Report of a Select Committee of the House of Assembly of Upper Canada on Grievances, etc.*, 1835, page 37. The Report itself on "Grievances," page xvii., states that "within the last two years, four thousand nine hundred and ten pounds (£4,910), have been paid to the Catholic Bishop ; a part for himself ; (£444 a year ; increased to £550 ;) a part for his clergy ; a part for repairing Catholic Chapels and Churches, and a part for Educational purposes—the payments have all been made from the Colonial Revenues." (See further evidence, given on a subsequent page, before this Committee.)

† This is a striking example, in the early educational Legislation of Upper Canada, of the principle local taxation for the support of schools being embodied in a Bill providing for their establishment.

"In this way the people would be fully met with an apparatus broadly and visibly obtruded upon their notice, and yet we are far from thinking that it would either create a native and universal habit of Education in a country, or arrest the process of its degradation in Learning, or sustain the practice of parents sending their children to School, and so stimulating and watching over the progress of their scholarship as would lead to the formation of a well taught and well informed peasantry.

"What is gotten up for no value is rated at no value; what may be obtained without cost in money is often counted unworthy of any cost in pains. What parents do not pay for the acquirement of, children will not be so urged for the acquirement of.

"To be away from School or to be idle at School, when not a matter of pecuniary loss, will far more readily be a matter of convenience.

"There is doubtless a loss of other advantages; but these under a loose and gratuitous system of Education will be held in capricious demand, and in slender estimation.

"The only way of thoroughly incorporating the Education of the young with the habit of families is to make it form a part of the family expenditure, and thus to make the interest, and watchfulness and the jealousy of parents, so many guarantees for the diligence of their children.

"And for these reasons do we hold the establishment of free (*i.e.*, gratuitous) Schools in a country, to be a frail and impolitic expedient for the object of either upholding a high tone of scholarship among our labouring classes, or of rendering the habit at all general, or of perpetuating that habit from generation to generation.

"And such a system has not a more adverse influence on the scholars, than it has upon the Teachers.

"Let a man deal in any article whatever, and there is not a more effective security for the good quality of what he deals in, than the control and guardianship of his own customers.

The Teacher of a free School is under no such dependence. It is true that he may be paid according to the proficiency of the learners, but the parent who can instantly withdraw his children is a far more jealous inquisitor into the matter than the official examiner."

6. On the subject of endowing Schools, the same authority says :

"Not leaving Education without any endowment to the random operation of demand and supply—not so endowing it as to hold out a gratuitous Education to all who should require it—not even endowing a restricted number of Schools to this extent, and leaving the rest to the necessity of exacting an unendowed price from the scholars who repair to them; but endowing Schools so far as to furnish Education "to the people.

On the subject of municipal and interior management in a general system of Common School Education, the same learned author says :

"What one body of management cannot do in the gross, several distinct and independent bodies of management might do in detail—one thing is certain, that any such smaller body will act with an impetus and a vigor of which a vast general society is utterly incapable; this would be the first effect of a subdivision in the field of agency—let it only be broken down into manageable sections, and the influence will be the same with that which comes upon a man's whole energy and spirit when any concern with which he is associated is so reduced from the hopelessly and impracticably vast, as to be brought within the compass of his probable attainment."

"Again he says : Let each separate agency link itself with a subject that there is some hope of finishing and thus suit the dimensions to the real mediocrity of human power, then in this humbler but sounder way of it, an universal result will be far more surely and speedily obtained."

In these reasonings your Committee most fully and entirely concur, and humbly trust that the details of the Bill are calculated to reduce the theory into practice.

PROVISION FOR EDUCATING THE CHILDREN OF INDIGENT PARENTS.

7. It will be observed that your Committee have not been unmindful of providing for the gratuitous education of the children of indigent persons, and trust that by the general system of Education which will be adopted during the present session, means will be provided by which the children of such persons, who possess talent, shall have the advantage of those who possess means only, and may pass through the highest Seminaries of Learning. For your Committee hold

"That the true secret for managing a people is not so much to curb as to enlighten them, and that a moral is of far mightier operation than a physical force in controlling the elements of political disorder."

GRANT OF ONE MILLION OF ACRES OF CROWN LANDS FOR SCHOOLS ASKED FOR.

8. Your Committee, being aware that the object of His late Majesty in making a grant of School Lands in 1797, was for the establishment of Free Grammar Schools in the several Districts,

* The first provision for educating "children of the poorer inhabitants" in the Grammar Schools was made in section six of the Grammar School Amendment Act of 1819. (Page 149 of the First Volume of this History.) This provision was proposed to be extended in this draft of Bill to the Common Schools. It was not lost sight of in later legislation; for, in the eighth clause of the seventh section of the first School Act of United Canada, passed in 1841, it is enacted that "the Township School Commissioners shall exonerate such poor persons as they deem fit, (not exceeding ten in each School District,) from the payment of the wages of Teachers," etc. In the Upper Canada School Act of 1843, section thirteen, the Municipal Councils of Townships, Towns, or Cities were authorized "to exempt any number of School Districts, not exceeding two in each municipality, from the payment of the School tax," etc. The School Trustees, (Section twenty-seven,) were also authorized to exempt indigent persons from the payment of Teachers' wages. Similar provision for exemption of such persons was made in the School Acts of 1849 (Section 30); and of 1850, (Section twelve, clause ten. (This exemption was continued to be operative until 1871, when rate bills were abolished, and Free Schools, supported by municipal taxation, and the Government grant, was established under the Reverend Doctor Ryerson's comprehensive School Act, which was passed in 1871.

and a University at the seat of Government, have felt it their bounden duty to report herewith the draft of an address to His Majesty, praying for a grant of ONE MILLION ACRES OF THE CROWN LANDS, to form a fund for the endowment of Common Schools, because that, although in a most cheering and flourishing state, the condition of the Province, in point of population, is very different now from that which it will exhibit in the lapse of a few years.

The demand for Education in the various Townships now settled and hereafter to be laid out, will be vastly increased by the great flow of the redundant population of the Mother Country, so happily directed towards this Province, and for whose benefit, by affording the means of educating their children in the situations that may be allotted them, His Majesty will feel a paternal regard; all which is respectfully submitted.

MAHLON BURWELL,
Chairman.

COMMITTEE ROOM, COMMONS HOUSE OF ASSEMBLY,
5th December, 1833.

PROVISION FOR THE PROMOTION OF SCIENCE, AND A PROVINCIAL OBSERVATORY.

As early as in 1805, a bill was introduced into the House of Assembly, "For appropriating a certain sum of money for the purchase of Philosophical Apparatus for the use of this Province." This Bill failed to pass at that session, but it became law in 1806, and four hundred pounds, (\$1,600,) were expended in the purchase of the desired apparatus, and it was placed in charge of the Reverend Doctor Strachan, who used it in illustrating elementary science in *The Old Blue School*, and in popular lectures.* In 1833, this proceeding of the Legislature, and the reason for it, was introduced to the notice of the House of Assembly in the following Resolution, proposed by Mr. Mahlon Burwell, seconded by Mr. Hugh C. Thomson :

Resolved that, in 1806, the Legislature, to show that something more was even then required than Grammar Schools, passed an Act providing from their limited means a small apparatus for the instruction of youth in physical science, that they might enter the world with something more than a common District (Grammar) School education.

Among Petitions, which incidentally touched upon subjects of a kindred nature, was one from the York Literary and Philosophical Society, (of which Archdeacon Strachan was President, Mr. Thomas Mercer Jones, Secretary, and Mr. James G. Chewett, Curator,) presented to the House of Assembly on the 7th of December, 1832, page 78, praying for a grant of money :

"To be applied in the appointment of persons duly qualified to investigate, thoroughly and scientifically, the Geology, Mineralogy and General Natural History of the Province, as well as to procure and report every kind of information tending to promote science, and an acquaintance with the characteristics of the country, such as the more prominent features of land and water, and the capabilities of communication between different parts of the same.

Another petition was presented to the House of Assembly from the Mechanics' Institute of York in February, 1834 ; (page 152). It prayed the House of Assembly to grant it two hundred pounds, (\$800), for the purchase of chemical, philosophical and astronomical apparatus. The grant was not made in either case, however.

In the same month Doctor William Rees—well-known in Toronto until his death—petitioned the House of Assembly for aid to publish a work on

* See the First Volume of this Documentary History, pages 51, 56 and 132.

"The Medical Topography and Climate of North America." The Select Committee, to which the Petition was referred, reported favourably upon its prayer and recommended the purchase of copies of the work, when published, on the ground that a similar work to that issued by the son of Doctor Hannan in England in 1830, relating to Upper Canada,

Would go far to remove the prejudice, founded on ignorance, that the climate of British North America is unhealthy.

Later on, in 1885, Dr. Rees Petitioned the House of Assembly for a grant, with which to establish a Museum, and Zoological Gardens, etc.

The topographical labours of Mr. Joseph Bouchette, in producing maps of the country, were recognized by the House of Assembly in February, 1834, and the following Resolution on the subject was passed :

Resolved, that the sum of one hundred and seventy-one pounds (\$684) be granted ; to enable the Clerk of this House to purchase eighteen copies of the Maps and Topographical work of Joseph Bouchette, Esquire, Surveyor-General of Lower Canada, for the uses of the Government Officer, etc.

In addition, the House of Assembly passed Resolutions, on which were founded Addresses to the Lieutenant-Governor, recommending that a copy of the Hudson Bay Company's Charter be obtained, and that an exploration of the country north of Lake Huron be undertaken. This exploration was afterwards made.

SECOND REPORT OF THE SELECT COMMITTEE OF THE HOUSE OF ASSEMBLY ON EDUCATION.

To the Honourable the Commons House of Assembly :

This Report is occasioned principally by the Petition of Mr. John Harris, of Woodhouse, * in the London District, praying that an Observatory may be established in this Province and the Petition of the Trustees of the Niagara District Grammar School, both of which have been referred to your Committee, by order of the House.

PROFESSORSHIP OF ASTRONOMY IN THE UNIVERSITY—AN OBSERVATORY.

With reference to the Petition of Mr. Harris, your Committee beg leave to state that, in recommending its prayer to the favourable consideration of your Honourable House, they are, in truth, recommending the immediate establishment of the University of King's College, of which a Professorship of Practical Astronomy and an Observatory, with all the instruments and apparatus necessary for the study of that sublime science, must, of course, form an important part. †

And, indeed, we have seen that on the model sent out for the erection of the buildings required for the University of King's College, ‡ provision is especially made for astronomical observations by the erection of an elegant tower in the middle of the square, the top of which it is contemplated to fit up for the very important purposes which Mr. Harris has in view.

And here, it is not out of place for your Committee to express their high respect for the scientific attainments of that gentleman, Mr. Harris, and his incessant exertions, since his first coming into the Province, to promote the dissemination of the higher branches of mathematical knowledge, even at the expense of some great personal sacrifices, and now he gives an example

* Mr. Harris here spoken of was a cousin, by marriage, of the Reverend Doctor Ryerson. In his *Loyalists of America*, Volume II, page 228, Doctor Ryerson thus refers to him : Mr. Harris " was an active and scientific officer in the Royal Navy, having been employed with the late Admirals Bayfield and Owen in the survey of the Canadian Lakes and Rivers by the Admiralty during the years 1815 to 1817. . . . After a few years' residence in Kingston Mr. and Mrs. Harris, (*nec* Amelia Ryerse), returned to a beautiful homestead on Long Point Bay (near Mrs. Harris' father's home.) . . . Mr. Harris was . . . selected by the Government of the day to be the recipient of various Government officers. During the years 1837-38 he took an active part in quelling the Rebellion.

† The Toronto Observatory was established in 1839. An account of it will be given in due chronological order in this History.

‡ This model is not now available. It may have been mislaid, or destroyed.

to other scientific men, of which numbers are to be found in the Province, to come forward and express their desire that means may be afforded the youth of Upper Canada to acquire that instruction in literature and science, which is not denied the youth of any enlightened community whose population is not one-sixth of that of this Colony.

In the First Report which your Committee had the honour to present to the House last Session, (see page 76,) they felt it incumbent on them to advert to the great desire, which has been from time to time manifested by the Legislature since 1797 for the establishment of such a Seminary; nor could they refrain from expressing their regret at the delay, as that delay had already done irreparable injury to the youth of the Province.

Many have already suffered, many are at present suffering, and whatever measures are taken to accelerate the establishment, many will be deprived forever of the advantages which the University might have opened to them.

Your Committee, therefore, feel more than supported in these sentiments, when they find a gentleman of unquestionable science, like the Petitioner, recommending that provision be made for one of the most sublime and difficult subjects with which the human mind can grapple; since it implies a previous acquaintance with many of those subjects which constitute a University Education.

It is true, Astronomy may be looked upon in its general outlines as the most certain and best established of all the sciences; but it requires the exercise of the sublimest powers of the human mind to comprehend the proofs of the truths which it exhibits.

The results, however, are within the grasp of every thinking man.

The Astronomer leaves the world and lifts his imagination:

"To that mighty expanse which spreads about it and around it; he wings his way through space, and wanders in thought over its immeasurable regions.

"Instead of a dark and unpeopled solitude, he sees it crowded with splendor and filled with the energy of the Divine Presence. Creation rises in its immensity before them.

"The Sun, its only a Member of the higher Family, taking his part along with the millions of others in some loftier system, subjected to one law and one arrangement: Describing the sweep of such an orbit in space, and completing their mighty revolution in such a period of time, as to reduce our planetary seasons and our planetary movements to a very humble and diminutive scale.

"How secondary the importance of our world, amidst the glories of such a surrounding magnificence. And yet what is seen may be nothing to what is unseen, and who shall assign a limit to the discoveries of future ages?

"Who can describe to science her boundaries, or restrain the active and insatiable curiosity of man within the circle of his present acquirements?"

WHAT MIGHT BE THE SCIENTIFIC RESULTS OF ESTABLISHING THE UNIVERSITY.

Why then, keep this Province so long in darkness? Why exclude our youth from the vast sources of knowledge which the University of King's College, with its princely endowment, might immediately open?

Who knows but that, after attaining to the present level of science, some of our Canadian youth may extend her limits?

The day may be coming when instruments of observation shall be discovered inconceivably more powerful than those at present in use, and enable the accurate observer to construct the map of another world.

COLUMBIA COLLEGE, FORMERLY KING'S COLLEGE, NEW YORK.

The University of King's College in New York, now Columbia College, was established in 1754, when the people of the then colony of New York, did not much exceed 70,000, or one-fifth of that of Upper Canada; and yet, says Mr. Butler, the present Attorney-General of the United States, the influence of the Institution on the literary character of the colony was truly wonderful; for though the whole number of students educated in the College previous to 1755, was but one hundred, many of them attained to great distinctions in their respective professions, and in public life distinguished alike by their genius and erudition, and illustrious in the annals of their country for their talents as writers, and their services as statesmen.*

When your Committee reflect that about eighty young gentlemen are at this moment studying the Law, not one of whom has had an opportunity of acquiring any knowledge of mathematics, beyond the mere elements, that they must be totally ignorant of logic and moral science, composition and elegant literature; and that all of them might have studied these subjects two or three years with the greatest benefit, and without impeding their professional progress; (had King's College been established at York as projected.)

* See the illustrations of this fact given on page 34 of the "Ryerson Memorial Volume, 1844-1876;" published by the Editor of this History, in 1889.

THE FACULTIES OF MEDICINE, THEOLOGY, ETC., IN THE UNIVERSITY OF KING'S COLLEGE.

That the students of Medicine might be equally numerous were there a medical school open in the University and lectures given in botany, chemistry, anatomy, etc.

Add to these, the number of young men coming forward as students of Theology and as respectable landholders and merchants, we shall see the necessity of a University on the most extensive scale and the great evils which have occurred from its delay.

Apart from the scientific character of this Report, it will be seen, from the illustrations and references to other countries which it contains, that a vivid picture is given of what was practically the socially intellectual condition of Upper Canada in 1835. For instance, the Report, in deploring the non-establishment of King's College, says :

When your Committee reflect that about eighty young gentlemen are at this moment studying the Law, (in various stages,) not one of whom has had an opportunity of acquiring any knowledge of mathematics beyond the mere elements, that they must be totally ignorant of logic and moral science, composition and elegant literature ; and that all of them might have studied these subjects two or three years with the greatest benefit, and without impeding their professional progress.

Contrasting this state of things with the effect in the United States of establishing Columbia (then King's) College in New York, when the population was not over seventy thousand, (70,000,) or only about one-fifth that of Upper Canada in 1835, the Report remarks :

Mr. Butler, the present Attorney-General of the United States, says that the influence of King's College on the literary character of the colony was truly wonderful ; for though the whole number of students educated in the College previous to 1755, was but one hundred, many of them attained to great distinctions in their respective professions, and in public life distinguished alike by their genius and erudition, and illustrious in the annals of their country for their talents as writers, and their services as statesmen.

NUMBERS WHO MIGHT AVAIL THEMSELVES OF THE UNIVERSITY—ITS URGENCY.

The Report then proceeds to estimate the number of students which might avail themselves of King's College were it established as follows :

Now, after making every allowance for common pursuits, admit one only in a hundred to any of the learned professions, or as ambitious of becoming a respectable Magistrate, Landholder or Merchant, and we have still three hundred youths ready to embrace any opportunity of acquiring a liberal Education.

But let us go much further, and say that only one in three hundred desire such an education as the University of King's College might furnish, and we shall still have one hundred, or as many in one year as King's College in New York had in twenty years.

All these are suffering by our delay in establishing this Institution.

The character of the Legislature is suffering, both at home and abroad ; and the contrast between Upper Canada and the State of New York is in nothing so deplorably against us as in this particular.

But, whatever the Legislature may do at the present period, the opinions of all the intelligent inhabitants of the Province have been long settled on the subject of a University.

Two respectable denominations of Christians, (the Methodists and one division of the Presbyterians), are so much alive to the necessity of such an Institution, that they are exerting themselves to establish two, viz.: one for each, doubtless in despair of reaping the advantages which King's College ought to have long ago presented to them, and all the other settlers in the Province. (See pages 1-14 of this Volume.)

With these facts before us, and with the knowledge that scientific gentlemen, such as the Petitioner, are urging us to the establishment of the University, your Committee feel it their duty again to bring the subject under the notice of your Honourable House, that if the establishment of the University, recommended in the Speech from the Throne, and earnestly desired

by the reflecting part of the population, be not established this session, the blame of so great an evil will not rest on them.

Your Committee, therefore, earnestly recommend that King's College be put immediately into operation, with such alterations in the Charter as may be deemed fit and expedient; and that it be recommended that an Observatory, and Practical Professorship of Astronomy, be among the very first arrangements made.

BOUNDARIES OF THE PROVINCE—EXPLORATIONS—HUDSON BAY TERRITORY.

From the following portion of this Report, it will be seen that even as early as 1835, the desire to know something of the "regions beyond" the popularly known and circumscribed boundaries of the Province was felt. It was, therefore, agreed to by the House of Assembly to ask the Lieutenant-Governor for a copy of the Charter of the Hudson Bay Company. This was obtained; and an exploration, north of Lake Huron, was afterwards made. The Members of the House evidently felt, as expressed in this Report, that the Province had been incorrectly represented in England as only containing five millions and a half, (5,500,000,) of acres of vacant land, fit for settlement, and at the disposal of the Crown, instead of at least forty million of acres (40,000,000,) of such available land. The Report proceeds:

While thus deliberating incidently on the Petition of Mr. Harris, and the great magnitude of the subject which it involves, or to which it is fairly applicable, your Committee were forcibly struck with the vast importance it would be to the interests of the Province if your Honourable House were in possession of such documents as would clearly point out the boundaries of the extensive unexplored territory within its limits.

Your Committee observe by the 14th George the Third, Chapter 83, that the late Province of Quebec, (now one of the Canadas), was bounded on the north by the territory granted to the Hudson's Bay Company, and not having a Charter before them, nor being able to ascertain anything satisfactory on the subject from the books in the Parliamentary Library, your Committee deem this information necessary to report a draft of an Address to His Excellency the Lieutenant-Governor, requesting that a copy of that Charter may be laid before your Honourable House, your Committee deem this information necessary for the purposes of Legislation, when considering the importance of Education, of Canals, Railways, or any general subject in which the great interests of the Province are concerned; and, in support of this argument, your Committee beg to observe, that, on reference to a work on the Statistics of Canada, published in England by Henry Bliss, Esquire, in 1833, which, (notwithstanding the very palpable mistake undermentioned,) contains a mass of most valuable tabular and other information, the Province is stated to contain only 5,500,000 acres of land which are vacant and at the disposition of the Crown.

ERRONEOUS ESTIMATE OF THE EXTENT OF THE PROVINCE, ETC.

The author states that the information he has given was "taken from the Official Inquiries and Report of Mr. Richards," a gentleman who was sent out to report upon this country during the period Sir George Murray was at the head of the Colonial Department, and your Committee cannot refrain from expressing their sincere sorrow and regret that such a statement, proceeding from authority, should go forth to the world calculated to deteriorate, in the Mother Country, the high opinion which, from existing facts, ought to be entertained of the extent, the capabilities and resources of this Province; for, admitting that which is generally understood to be the case, that the highlands dividing the waters which flow into Lakes Huron and Superior from those which discharge themselves into Hudson's Bay, form the boundary, there will be found to be upwards of 40,000,000 of acres of unexplored lands in this Province, not noticed in the Report of Mr. Richards, in western longitudes; and although considerably to the northward may be territory, in climates genial to cultivation and improvement, and, in point of soil, the greater part of it, for aught we know, equal to any that is now settled.*

* In January, 1832, Doctor John Rae, M.A., afterwards Grammar School Master at Hamilton, addressed a Memorial to Sir John Colborne, the Lieutenant-Governor, which was submitted to the House of Assembly on the 18th of the same month. In it he prayed for aid to publish a work "on the present state and resources of the Province." It was referred to the Committee of Supply, but no grant was made by the House to Dr. Rae to enable him to publish the work, although, as he said in his Memorial, he had "for a considerable time been engaged in collecting information" on the subject. Dr. Rae is mentioned on page 14 of this Volume.

DESIRABILITY OF EXPLORING THE COUNTRY AND TERRITORIES.

In pursuing this subject, and contemplating on the great flow of emigration which has arrived, and is coming to this Province, from the Mother Country, your Committee deem it their duty to suggest, that your Honourable House, as the Grand Inquest of the Province, do recommend that His Majesty's Government should send out exploring parties during the ensuing season, to penetrate from different points on the north shore of Lake Huron, in continuous right lines, some fifty or sixty miles into the heart of the country.

If a practical Surveyor were sent out to produce the lines, and take field notes of the soil, timber, waters, etc., and a gentleman of science, like Captain Bonnycastle, were to accompany him and report upon the geology and mineralogy of the interior, as well as of the borders of the lake, the result would not fail to be highly beneficial to the interests of the Province, as well as those of the Empire at large; and, to obtain this object, your Committee beg leave to submit a suitable Address.

PETITION FROM THE NIAGARA DISTRICT—MISCELLANEOUS.

In regard to the Petition of the Trustees of the Niagara District Grammar School, your Committee are fully impressed with the weight and importance of the statements and observations which their application contains.

The Committee on Education of last Session had the subject under their consideration, and, in making their Second Report, submitted a Bill, which your Committee humbly conceive, if passed into a law, would remedy the evils of which the Petitioners very justly complain.

George S. Boulton, Esquire, a Member of your Committee, has already given notice of his intention to introduce the same Bill during the present Session, which your Committee humbly trust will receive the sanction of your Honourable House.

All of which is respectfully submitted.

MAHLON BURWELL,
Chairman.

COMMITTEE ROOMS, COMMONS HOUSE OF ASSEMBLY,
28th December, 1833.

6 h December, 1833.—The Address to His Majesty on the subject of a grant of lands for Common Schools, (page 138 of this Volume) was read twice.

Mr. Mahlon Burwell, seconded by Mr. Asa Warden, moves that the House do go into Committee of the Whole on the Address to His Majesty for a grant of the Crown Lands, for the support of Common Schools to-morrow.

In amendment, Mr. William Morris, seconded by Mr. Peter Perry, moves that the word "to-morrow" in the foregoing original motion, be expunged, and the following inserted instead thereof: "on Friday next;" which motion was carried. The original question as thus amended, was put and carried.

THE COMMON SCHOOL BILL OF 1833, 1834.

The School Bill reported by the Select Committee, was read a first time. Mr. Peter Perry, seconded by Mr. William Buell, junior, moves that the Bill be read a second time this day week, which was ordered.

No copy of this School Bill was printed in the proceedings of the House of Assembly of 1833, 1834, nor is it inserted in the Appendix to the Journals of the House of that Session. But, in the Appendix to the Report of the Commissioners appointed in 1839 by the Committee on Education, Mr. Burwell, in reply to a letter from the Commissioners, dated the 2nd of December, 1839, said: "I annex . . . a printed copy of a Common School Bill, which I have several times endeavoured to get passed through the Assembly." A copy of this Bill is appended to the Commissioners' Report. (See pages 376-378 of the Appendix to the Journal of the House of Assembly for 1840.) No doubt it is in substance

the same as the Common School Bill referred to below. However, the analysis of the details of the Bill, in the following article, sufficiently describes its provisions and purpose, for it is a review and criticism of this Bill of Mr. Burwell's, by the Reverend Egerton Ryerson, and is given in the *Christian Guardian* of the 15th of January, 1834. Coming from such a source, this review and criticism are of special interest and value, as the Writer was, years afterwards, the framer of several of such School Bills himself. The article is as follows:

Colonel Burwell's School Bill of 1833.—This Bill is designed “for the Regulation of Common Schools in this Province.” It is, unquestionably, the result of much study and labour; and it evidently contemplates the extension of education to the poorer, as well as to the richer, classes, under regulations adapted to their circumstances. Its principal provisions are: 1. The establishment of a Common School Fund. 2. The appointment of a General Board of Education, and also, District Boards of Education, with their respective powers and duties. 3. It provides for the election of Township School Commissioners, and School District Trustees, and fixes their duties. 4. It lays down the principles and regulations for the distribution of moneys. The Bill contains 24 clauses; but the above are the leading features of it.

After repealing existing School Acts, this Bill proposes the establishment of a Fund, to be called: “The Common School Fund;” to consist of such sum, or sums of money, as may annually be appropriated by the Legislature, out of the Provincial Revenues, and the moneys arising from the sale, or leasing, of Common School Lands; also, of an amount equal to the Legislative appropriations: “to be raised by assessment, by order of the Quarter Sessions in their respective Districts, on the rateable property, in the same manner as other assessments are now raised, levied, and collected.”

Taxation, according to the value of assessed property, is undoubtedly the most equitable plan for the promotion of any public, or national, purpose, and it is, perhaps, of little consequence by whom a tax is imposed, so long as it has been sanctioned by the assembled wisdom of the people, and is so guarded, in the mode of its exaction, as to secure an exact correspondence between the amount required and that of the assessment made.

The idea of raising by tax in each District or Township, a sum equal to the Legislative Grant for that District, or Township, has probably been borrowed from the United States. In the State of New York, twenty-five thousand pounds, (or \$100,000,) are distributed annually, “but, on the condition, that each Town (Township) raises, by tax, or otherwise, as much as it receives from the School Fund.” In Rhode Island, the Schools are supported by taxes and private subscriptions, with the exception of an annual Legislative appropriation of two thousand five hundred pounds, (or \$10,000). In Massachusetts, the Schools are supported by public taxes and private subscriptions. In Vermont, between twelve and fifteen thousand pounds, (from \$48,000 to \$60,000,) are raised for Common Schools, from a three *per cent.* tax on the grand list, and as much more from district taxes, besides an income of about five hundred pounds, (\$2,000) from a tax on Bank Stock. In New Hampshire, a separate tax of upwards of twenty-two thousand pounds, (\$88,000) are raised for Schools, besides an annual grant from Bank Stock of about two thousand five hundred pounds (\$10,000). In Maine, the law requires that the inhabitants of every Town (Township) pay for the support of Schools, a sum equal at least to forty cents for each person, which amounts to about thirty thousand pounds, (\$120,000). The principle, therefore, of supporting the Common Schools in part by a tax, has the sanction of the best educated States of the American Union.

The next leading feature of the Bill is the appointment of a General Board of Education, and also District Boards of Education. This is proposed to be left to the Governor, Lieutenant-Governor, or person administering the Government;—a proposition, in our opinion, radically objectionable. It makes the system of education, in theory, a mere engine of the Executive,—a system which is liable to all the abuse, suspicion, jealousy and opposition, caused by despotism; and it withholds from the system of Common School education, in its first and prominent feature, that character of common interest and harmonious co-operation, which, as we humbly conceive, are essential to its success, and, even to its acceptance, with the Province. Education is an object in which the Government, as an individual portion of the Province, and the people at large, possess, in some respects, a common interest; consequently, they should exercise a joint, or common, control.

The absolute appointment of all the members of the District Boards of Education, with the powers proposed to be given to them, makes or can make, the Common Schools, politically, mere creatures of the Executive. But the appointment of District Boards of Education, after the manner above suggested, will, it appears to us, preserve sufficient Executive inspection, and secure, and perfectly comport, with popular rights and wishes, and will combine the knowledge, and views, and interests of both the people and the Government, in the District oversight of Common Schools. And, in an equitable and patriotic administration of Government, the more its agents and the people's agents are associated together in promoting the common weal, the more strongly will mutual respect and confidence and co-operation between the people and the Government be established, the less room there will be for Executive negligence, or partiality, or popular, or local abuse; and the less opportunity there will be for either despotic oppression, or demagogue misrepresentation.

We are not aware of any objections to which can be urged the proposal in the Bill that the inhabitants may elect annually, at their Township Meetings, five School Commissioners for the Township, or to elect Trustees and Clerks at their School District Meetings. Nor is there any objection to the duties assigned to them respectively.

The distribution of moneys to neighborhoods, or School Districts, in proportion to the number of children, between five and sixteen years of age, is equitable; and the provision for the education of poor children is humane.

Mr. Mahlon Burwell, seconded by Mr. Asa Werden, moves that five hundred copies of the First Report of the Committee on Education, including the accompanying School Bill, and the Address to His Majesty, be printed for the use of Members, which was ordered.

7th December, 1833.—Mr. Charles Duncombe gives notice that he will, on Monday next, move for the appointment of a Committee, to enquire into the propriety of establishing an Institution for the Education of Deaf and Dumb in this Province.

9th December, 1833.—Mr. Allan N. Macnab gives notice that he will, on to-morrow, move for leave to bring in a bill to amend the Charter of the University of King's College.

10th December, 1833.—Mr. George S. Boulton gives notice that he will, on to-morrow, move for leave to bring in a Bill for the establishment of Free Grammar Schools in the several Districts, [of the Province, as contemplated in the original grant of lands for this purpose, and for that of a University in 1797] and for the appropriation of the School Lands for their support.

Mr. Marshall S. Bidwell brought up the Petition of the Reverend Robert McDowall, and sixty-two others, of the United Counties of Lennox and Addington, which was laid on the Table.

12th December, 1833.—Mr. Marshall S. Bidwell, seconded by Mr. John P. Roblin, moves that the Petition of the Reverend Robert McDowall, and other inhabitants of the United Counties of Lennox and Addington, relative to the Bath Academy, be referred to a Select Committee, composed of Messieurs Peter Perry and William Buell, junior, with leave to report thereon, by Bill or otherwise, and with power to send for persons and papers.

13th December, 1833.—Agreeably to the Order of the Day, the Petition of Mr. John Harris, of Woodhouse, in the London District, praying that the House would take into consideration the propriety of erecting an Observatory at, or near York, was read.

Mr. Mahlon Burwell, seconded by Mr. Allan N. Macnab, moves that the Petition of John Harris, Esquire, praying for the establishment of an Observatory in this Province, be referred to the Select Committee on Education, which was ordered. (See page 144 of this Volume.)

Mr. Mahlon Bidwell, from the Committee, to which was referred the Petition of the Reverend Robert McDowall and others, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit, whenever the House would be pleased to receive the same. The Report was received, and the Bath School Society Bill was read the first time, and ordered for a second reading to-morrow.

16th December, 1833.—Mr. Hugh C. Thomson brought up the Petition of Mr. Robert Richardson* and eighteen others, shareholders in the Midland District School Society, which was laid on the Table.

Mr. William Crooks brought up the Petition of the Reverend Thomas Creen and several others, Trustees of the Niagara District (Grammar) School, which was laid on the Table.

* Mr. Richardson was the first Clerk appointed in the Education Office of Upper Canada, under the Reverend Robert Murray, M.A., the first Assistant Superintendent of Education in 1842-1844.

18th December, 1833.—Agreeably to the Order of the Day, the Petition of Mr. Robert Richardson, and eighteen others, shareholders, etc., in the Midland District School Society, praying that their Act of Incorporation may be amended, so as to enable their heirs and assignees to enjoy the rights and privileges attached to the original Shareholders, and to provide for supplying vacancies, and that it may be made obligatory on the Treasurer of the said Society to account annually for the funds in his hands to the President and Trustees, and the President and Trustees to report, for the information of the Shareholders, annually, previous to a new election of officers, was read.

The Petition of the Reverend Thomas Creen, and seven others, Trustees of the Niagara District (Grammar) School, praying that the sum of one thousand pounds (£1,000) may be granted for the purpose of erecting a suitable building for a District (Grammar) School in said District, was read.

19th December, 1833.—Mr. William Crooks, seconded by Mr. Mahlon Burwell, moves that the Petition of the Reverend Thomas Creen and others, of Niagara, be referred to the Committee on Education, which was ordered. (For report on this Petition, see page 148 of this Volume.)

Mr. Charles Duncombe brought up the Petition of Doctor Christopher Widmer, and two others, members of the Medical Society of Upper Canada, which was laid on the Table.

20th December, 1833.—Mr. Hugh C. Thompson, from the Committee to which was referred the Petition of Mr. Robert Richardson and others, of the Town of Kingston, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. The report was received, and the “Midland District School Society Amendment Bill” was read a first time, and ordered for a second reading to-morrow. (Mr. Thomson was the former Treasurer of this Society.)

21st December, 1833.—Agreeably to the Order of the Day the Petition of Doctor Christopher Widmer and others, praying to be incorporated for the purposes of the Upper Canada Medical Society, was read.

Mr. Charles Duncombe, from the Select Committee to which was referred the Petition of Doctor Christopher Widmer and others, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. The report was received, and the Bill to incorporate the Petitioners for the purposes of the “Medical Society of Upper Canada,” was read, and ordered for a second reading on Monday next.

EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY, CONTINUED IN 1834.

3rd January, 1834.—Mr. Mahlon Burwell, from the Select Committee to which was referred the subject of Education, presented a Second Report, with drafts of two Addresses—(to the King and to the Lieutenant-Governor)—which were received, and the Report was read.

Mr. Mahlon Burwell, seconded by Mr. George S. Boulton, moves that five hundred copies of the Second Report of the Committee on Education be printed for the use of members. Ordered.

4th January, 1834.—Agreeably to the Order of the Day, the Petition of Mr. William Sibbald, praying to be appointed Professor of Agriculture, with such a salary as to the Parliament may seem meet.

7th January, 1834.—Agreeably to the Order of the Day, the Bath School Incorporation Bill was read the second time, and referred to a Committee of the Whole House. Mr. Peter Shaver was called to the chair.

The House having resumed, Mr. Shaver reported the Bill without amendment. The Report was received, and the Bill was ordered to be engrossed and read a third time to-morrow.

8th January, 1834.—Agreeably to the Order of the Day, the Bath Academy Bill was read the third time and passed.

Mr. Marshall S. Bidwell, seconded by Mr. Peter Perry, moves that the Bill be intituled: “An Act to Incorporate certain persons by the name of the ‘Bath School Society,’ and for other purposes therein mentioned,” which was carried, and Messieurs Bidwell and Perry were ordered by the Speaker to carry the Bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

23rd January, 1834.—Mr. William B. Jarvis gives notice that he will, on to-morrow, move for the reading of that part of the Journals of last Session respecting the Petition of the President and Vice-President of the York Mechanics’ Institute. (No such Petition was then presented.)

31st January, 1834.—Mr. Mahlon Burwell, seconded by Mr. William Crooks, moves that the First Report of the Select Committee on Education be referred to the Committee of Supply, which was ordered.

6th February, 1834.—Agreeably to notice, Mr. Allan N. Macnab, seconded by Mr. John Willson, moves for leave to bring in a Bill to amend the Charter of King's College, which was granted, and the Bill was read, and ordered for a second reading to-morrow.

7th February, 1834.—The Master in Chancery brought down from the Honourable the Legislative Council, a Bill intituled: "An Act to Incorporate certain persons by the name of the 'Bath School Society,' and for other purposes therein mentioned," to which that Honourable House had made some amendments, and requested the concurrence of this House thereto.

17th February, 1834.—Mr. William B. Jarvis brought up the Petition of the York Mechanics' Institute, which was laid on the Table. He then moved, seconded by Mr. Charles Duncombe, that the Petition of the Office Bearers of the York Mechanics' Institute be now read, and that the 41st rule of this House be dispensed with, so far as relates to the same, which was carried, and the Petition of the York Mechanics' Institute, praying for a grant of two hundred pounds, (£200), for the purchase of chemical, philosophical and astronomical apparatus, was read.

18th February, 1834.—Agreeably to the Order of the Day, the amendments made by the Honourable the Legislative Council, in and to the Bill sent up from the House, intituled: "An Act to Incorporate certain persons by the name of 'The Bath School Society,' and for other purposes therein mentioned," were read a second time, and referred to a Committee of the Whole House. Mr. Allan N. Macnab was called to the chair.

The House having resumed, Mr. Macnab reported the Bill with certain amendments. The Report was received, and the amendments were ordered for a third reading to-morrow.

19th February, 1834.—Agreeably to the Order of the Day, the amendments made by the Honourable the Legislative Council, in and to the Bill sent up from this House, intituled: "An Act to Incorporate certain persons by the name of 'The Bath School Society,' and for other purposes therein mentioned," were read the third time and passed. Messieurs Marshall S. Bidwell and Peter Perry were ordered by the Speaker to carry the Bill up to the Honourable the Legislative Council, and to inform that Honourable House that this House had agreed to the amendments.

Mr. Secretary Rowan brought down from His Excellency the Lieutenant-Governor several Messages, and, having retired, the Speaker read the Message relating to Education, as follows:

J. COLBORNE:

The Lieutenant-Governor transmits to the House of Assembly such Reports of District (Grammar) and Common Schools as have been received since last Session: (videlicet, from the Eastern, Johnstown, Ottawa, Midland, Newcastle and Niagara Districts.)*

J. C.

GOVERNMENT HOUSE,
YORK, 19th February, 1834.

21st February, 1834.—Mr. John Clark, from the Select Committee to which was referred the Petition of the Trustees of the Grantham Academy, St. Catherines, on the 3rd of December, 1833, (page 137,) presented a report, which was received and read, as follows:

To the Honourable the Commons House of Assembly of Upper Canada:

The Select Committee to which was referred the Petition of the Trustees of the Grantham Academy, praying for pecuniary aid in support of that establishment, beg leave respectfully to report:

That the Institution is incorporated under an Act of the Provincial Legislature, and, up to the present time, has been, in a measure, supported by the donations and subscriptions of private individuals.

That, in the opinion of your Committee, the Institution is deserving of support and encouragement; they, therefore, respectfully recommend that there be granted to His Majesty, annually, for ten years, such sums as will ensure a more ample provision for the Teachers thereof than can be obtained in the present infant state of the Institution from fees paid by students and other ordinary sources.

All which is respectfully submitted.

COMMITTEE ROOM, HOUSE OF ASSEMBLY,
February 13th, 1834.

WILLIAM HAMILTON MERRITT,
Chairman.

*In the Report of the Upper Canada Central (National, Church of England School) at York, for 1833, the average attendance of pupils in December, 1833, is given. The absentees are reported as 179; those present 196; total 375.

24th February, 1834.—Agreeably to the Order of the Day, the Clergy Reserve Bill was read the third time. On the question for passing the Bill, Mr. William Morris, seconded by Mr. James H. Samson, moves in amendment that the Bill do not now pass, but that it be referred to the consideration of a Select Committee, to be composed of Messieurs Peter Perry, Archibald Macdonald and Charles Duncombe; and that it be an instruction to the said Committee to report a Bill for the sale of the Clergy Reserves, with the following Preamble :

“Whereas, it is expedient to repeal the law now in force, which authorizes the reservation of one-seventh of the lands in the Province for the support of a Protestant Clergy, and to dispose of the said lands for the benefit of General Education, and with such enacting clauses as shall give to the several Sheriffs of the Province power and authority to sell the said Reserves for that purpose.

On which the yeas and nays were taken as follows : Yeas, 9 ; Nays, 23. The question of amendment was decided in the negative by a majority of fourteen. On the question for passing the Bill the yeas and nays were taken as follows : Yeas, 22 ; Nays, 12. The question was carried in the affirmative by a majority of ten, and the Bill was passed.

Mr. Perry, seconded by Mr. Bidwell, moves that the Bill be intituled : “An Act to provide for the sale of the Clergy Reserves in this Province, for the purposes of General Education in the same.” On which the yeas and nays were taken, as follows : Yeas, 22 ; Nays, 14.

The question was carried by a majority of eight, and Messieurs Perry and Bidwell were ordered by the Speaker to carry the Bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

Agreeably to the Order of the Day, the Midland District School Society Bill (Kingston) was read a second time, and referred to a Committee of the Whole House. Mr. William H. Merritt was called to the chair.

The House having resumed, Mr. Merritt reported the Bill without amendment. The Report was received, and the Bill was ordered to be engrossed and read a third time to-morrow.

25th February, 1834.—Agreeably to the Order of the Day, the Midland District School Society Bill was read the third time and passed.

Mr. James H. Samson, seconded by Mr. Peter Robinson, moves that the Bill be intituled : “An Act to amend and extend the provisions of an Act passed in the forty-fifth year of the reign of His late Majesty King George the Third, (1815) Chapter 18, intituled : ‘An Act to Incorporate the Midland District School Society.’” Which was carried, and Messieurs James H. Samson and Peter Robinson were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

1st March, 1834.—The Master in Chancery brought down from the Honourable the Legislative Council, Messages, and a Bill sent up from this House, intituled : “An Act to amend and extend the provisions of an Act passed in the forty-fifth year of the reign of His late Majesty King George the Third, (1815) Chapter 18, intituled : ‘An Act to Incorporate the Midland District School Society’” ; in which the Honourable the Legislative Council had made some amendments, and requested the concurrence of this House thereto.

The amendments made by the Honourable the Legislative Council, in and to the Bill sent up from this House, intituled : “An Act to amend and extend the provisions of an Act passed in the fifty-fifth year of the reign of His late Majesty King George the Third, (1815) Chapter 18, intituled : ‘An Act to Incorporate the Midland District School Society’” were read a first time, and ordered for a second reading on Monday next: The amendments were as follows :

Press I, line 2. After “that,” expunge the remainder of the clause and insert, “in case of the death of any such shareholder, his, or her, share, or shares, not devised, shall descend, or be disposed of, in the same manner as the shares in other joint stock companies, according to the law of this Province.”

5th March, 1834.—Mr. Peter Shaver reported that the Committee of Supply had agreed to several resolutions, which he was directed to submit for the adoption of the House. The report was received. The Resolution relating to the Grantham and Bath Academies was put as follows :

13. *Resolved*, That there be granted to His Majesty one hundred pounds (£100) annually, for ten years, to be applied to the payment of the Teachers in the Grantham Academy, and a similar sum, for ten years, to be applied to the payment of the Teachers of the Bath Academy.

On which the yeas and nays were taken as follows : Yeas, 12 ; Nays, 17. The question was therefore decided in the negative by a majority of 5, and the resolution was accordingly lost.

NOTE.—The Public Accounts Committee reported that the undermentioned sums had been appropriated for the services of 1834, viz :

For the support of Township Common Schools.....	£8,550
For the support of District (Grammar) Schools.....	1,100

6th March, 1834.—The Lieutenant-Governor, having had the Members of the House of Assembly summoned to the Legislative Council Chambers, prorogued the Legislature with the usual Speech from the Throne.

EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL, 1833-1834

On the 19th of November, 1833, Sir John Colborne, the Lieutenant-Governor, opened the fourth session of the Eleventh Parliament of Upper Canada with the usual Speech from the Throne. (See page 132 of this Volume.)

One new member was added to the Council on the 20th of November 1833. The Honourable Thomas Alexander Stewart.

22nd November, 1833.—The Honourable Joseph Wells from the Select Committee appointed to draft an Address to His Excellency the Lieutenant-Governor in reply to his Speech from the Throne, reported a draft thereof, which, on the 23rd November, 1833, was presented to His Excellency. That part of it relating to Education was as follows :

Upon the important subject of Education we shall take an early opportunity to deliberate ; especially on the necessity of extending the Royal Charter for establishing a University on the application of the proceeds of sales of School Lands for the support of superior District Schools and on the revision of the system of Township Schools.

In pursuing this subject, in considering what course we can best suggest to ensure the immediate opening of the University of King's College, under any modification that may be judged necessary, and in proposing measures for the future government and appropriation of School Lands, we shall be accompanied by the grateful assurance that His Majesty will readily give effect to any system that can tend to facilitate the diffusion of Education among all classes and add to the advantages which, under the blessings of Divine Providence, this Colony now enjoys.

28th November, 1833.—The Honourable John J. Hamilton brought up the Petition of Mr. George Keefer and others, Trustees of the Grantham Academy, which was laid on the table.

2nd December, 1833.—Pursuant to the Order of the Day, the Petition of Mr. George Keefer and others, Trustees of the Grantham Academy, praying for a grant of money to discharge the debts due by the Institution, and an annual sum for the purpose of paying the Teachers of the said Academy, was read.

16th December, 1833.—The Honourable George Herchmer Markland brought up the Petition of Mr. Robert Richardson and others interested in the Midland District School Society, which was laid on the Table.

20th December, 1833.—Pursuant to the Order of the Day, the Petition of Mr. Robert Richardson, and others interested in the Midland District School Society, praying an amendment to the Act incorporating the said Society was read.

CONTINUATION OF THE EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL, 1834.

6th January, 1834.—The Honourable John J. Hamilton brought up the Petition of the Reverend Thomas Green and others, Trustees of the Niagara District (Grammar) School, which was laid on the Table.

8th January, 1834.—Pursuant to an Order of the Day, the Petition of the Reverend Thomas Green and others, Trustees of the Niagara District (Grammar) School praying for an Act granting one thousand pounds, (£1,000,) for the erecting of suitable buildings for the said District School was read.

10th January, 1834.—A deputation from the Commons House of Assembly, brought up a Bill intituled : "An Act to Incorporate certain persons by the name of the Bath School Society, and for other purposes therein mentioned."

The Bill intituled : "An Act to Incorporate certain persons by the name of the 'Bath School Society' and for other purposes therein mentioned," was read a first time and it was ordered that the same be read a second time to-morrow.

13th January, 1834.—Pursuant to the Order of the Day, the Bill intituled : "An Act to Incorporate certain persons by the name of the 'Bath School Society,' and for other purposes therein mentioned," was read a second time and it was ordered that the House be put into a Committee of the Whole, to-morrow, to take the same into consideration.

14th January, 1834.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill intituled: “An Act to Incorporate certain persons by the name of the ‘Bath School Society,’ and for other purposes therein mentioned.”

After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee to report thereon, by amendment, or otherwise. Ordered that the Report be received, and that the Honourable Messieurs George H. Markland and Walter Boswell do compose the Select Committee on the Bill.

3rd February, 1834.—The Honourable Walter Boswell, from the Select Committee, to which was referred the Bill, intituled: “An Act to Incorporate certain persons by the name of the ‘Bath School Society,’ and for other purposes therein mentioned,” presented their report. Ordered that it be received; and the same was then read by the Clerk, as follows: The Select Committee to whom was referred the Bill intituled: “An Act to Incorporate certain persons by the name of the ‘Bath School Society,’ and for other purposes therein mentioned,” beg to report that they have carefully examined the several provisions contained in the said Bill, and recommend the same without amendment, to the adoption of your Honourable House.

All which is respectfully submitted,

WALTER BOSWELL,
Chairman.

LEGISLATIVE COUNCIL COMMITTEE ROOMS,
31st day of January, 1834.

Ordered that the last-named Bill, and the Report of the Select Committee thereon be referred to a Committee of the Whole House, to-morrow.

4th February, 1834.—Pursuant to the Order of the Day, the House was again put into a Committee of the Whole upon the Bill intituled: “An Act to Incorporate certain persons by the name of the ‘Bath School Society,’ and for other purposes therein mentioned,” and the Report of the Select Committee thereon. The Honourable Walter Boswell took the chair. After some time the House resumed. The Chairman reported that the Committee had taken the said Bill into consideration, had made some further progress therein, and asked leave to sit again to-morrow. Ordered that the Report be received, and leave granted accordingly.

6th February, 1834.—Pursuant to the Order of the Day the House went again into Committee of the Whole on the Bath School Society Incorporation Bill, the Honourable William Allan in the chair. The Committee made several amendments to the Bill. The principal one was as follows:

After the last clause in the Bill, insert: “No person shall be eligible to the office of President, Secretary, or Trustee, in the said Society, or be capable of being chosen, or appointed, to be a Teacher in any School, or Academy, under their superintendence, who is not a natural-born Subject of His Majesty, or a Subject naturalized by Act of the British Parliament, or by an Act of the Legislature of the Province.”

The amendments being read a second time, and the question of concurrence put on each, they were agreed to by the House; and it was ordered that they be engrossed, and the Bill, as amended, be read a third time to-morrow.

7th February, 1834.—Pursuant to the Order of the Day, the Bill intituled: “An Act to Incorporate certain persons by the name of the ‘Bath School Society’ and for other purposes therein mentioned,” was, as amended, read the third time, and the question being put whether this Bill, as amended, should pass, it was carried in the affirmative. Whereupon the Speaker signed the amendments; and it was ordered that the Master in Chancery do go down to the Commons House of Assembly and acquaint that House that the Legislative Council have passed this Bill with amendments, to which they desire the concurrence of the Commons House of Assembly.

19th February, 1834.—A deputation from the Commons House of Assembly returned the Bill intituled: “An Act to Incorporate certain persons as the Bath School Society and for other purposes therein mentioned,” and acquainted this House that the Commons House of Assembly had acceded to the amendments made by the Legislative Council, in and to the same; the deputation then withdrew.

Messages were received from the Lieutenant-Governor, which being delivered by Mr. Secretary Rowan, who, having retired, that one relating to Education was read by the Speaker, as follows:

J. COLBORNE:

The Lieutenant-Governor transmits to the Legislative Council such Reports of District (Grammar) and Common Schools as have been received since the last Session of the Legislature.

GOVERNMENT HOUSE,

YORK, 19th February, 1834.

J. C.

Pursuant to the Order of the Day, the Petition of the Office-bearers of the York Mechanics' Institute, praying for an Act granting the sum of two hundred pounds (£200) to enable them to procure proper apparatus for the use of the Institution, was read.

25th February, 1834.—His Honour the Speaker reported to the House that a deputation from the Commons House of Assembly had brought up a Bill intituled: "An Act to amend and extend the provisions of an Act passed in the fifty-fifth year of the reign of His late Majesty George the Third, (1815), Chapter 18, intituled: 'An Act to Incorporate the Midland District School Society, and also a Bill intituled: 'An Act to provide for the sale of the Clergy Reserves in this Province, for the purposes of general Education in the same,'" to which they requested the concurrence of this House.

The Bill intituled: "An Act to amend and extend the provisions of an Act passed in the fifty-fifth year of the reign of His late Majesty George the Third, (1815), Chapter 18, intituled: 'An Act to Incorporate the Midland District School Society,'" was then read, and it was ordered that the same be read a second time to-morrow.

The Bill intituled: "An Act to provide for the sale of the Clergy Reserves in this Province, for the purposes of general Education in the same," was then read the first time.

26th February, 1834.—Pursuant to the Order of the Day, the Bill intituled: "An Act to amend and extend the provisions of an Act passed in the fifty-fifth year of the reign of His late Majesty George the Third, (1815), intituled: "An Act to Incorporate the Midland School Society" was read a second time, and it was ordered that the House be put into a Committee of the Whole to-morrow to take the same into consideration.

27th February, 1834.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill intituled: "An Act to amend and extend the provisions of an Act passed in the fifty-fifth year of the reign of His late Majesty George the Third (1815) intituled: 'An Act to Incorporate the Midland School Society,'" the Honourable Peter Adamson took the chair. After some time the House resumed, and the Chairman reported that the Committee had gone through the said Bill and had made an amendment thereto, which they recommended to the adoption of the House. Ordered that the Report be received, and the said amendment was then read by the Clerk, as follows:

Press I, line 11. "After 'that' expunge the remainder of the clause and insert, 'in case of the death of any such shareholder, his or her share or shares, not devised, shall descend and be disposed of in the same manner as the shares in other joint stock companies, according to the Law of this Province.'"

The said amendment having been read a second time, and the question of concurrence being put thereon, it was agreed to by the House; and it was ordered that the amendment be engrossed, and the said Bill, as amended, read a third time to-morrow.

28th February, 1834.—Pursuant to the Order of the Day, the Bill intituled: "An Act to amend and extend the provisions of an Act passed in the fifty-fifth year of the reign of His late Majesty George the Third (1815), intituled: "An Act to Incorporate the Midland District School Society," was, as amended, read a third time, and the question being put whether this Bill as amended should pass, it was carried in the affirmative. Whereupon the Speaker signed the amendments; and it was ordered that the Master in Chancery do go down to the House of Assembly, and acquaint that House, that the Legislative Council have passed this Bill, with amendments, to which they desire the concurrence of the Commons House of Assembly.

6th March, 1834.—His Excellency having had the members of the Commons House of Assembly summoned by the Black Rod, His Excellency was pleased, in His Majesty's name, to assent to the following Bill:

"An Act to incorporate certain persons as the Bath School Society and for other purposes therein mentioned," which Act is as follows:

4TH YEAR OF WILLIAM IV. ; CHAPTER XXXIII.

AN ACT TO INCORPORATE CERTAIN PERSONS BY THE NAME OF THE BATH SCHOOL SOCIETY, AND FOR OTHER PURPOSES THEREIN MENTIONED.

Sir John Colborne, Lieutenant-Governor.

Passed 6th March, 1834.

MOST GRACIOUS SOVEREIGN:

WHEREAS by indenture of bargain and sale, bearing date the first day of Preamble. November, in the year of our Lord, one thousand eight hundred and eleven (1811), Reciting that Peter Davy, of Ernestown, in the Midland District, did grant, bargain, sell, and convey unto Robert McDowall, William Fairfield, the younger, Benjamin Fairfield, Stephen Fairfield, Solomon Johns, William Willcox, Samuel Neilson, George

gain and sale
of 1st Nov.,
1811, of land

Baker and William McKee, a certain parcel or tract of land, being part of the east half of lot number ten, in the first concession of the Township of Ernestown, in the said Midland District, the said tract or parcel of land being composed of town lots numbers twenty-one and twenty-six, in the village of Bath, in said District, containing half an acre and eighteen rods of land, and particularly described in the said indenture, to be held by the aforesaid grantees, and the survivors of them, as Trustees of a certain School called the Ernestown Academy, the building for which had been before that time erected on the said parcel of land by private subscription, such Academy being thereby declared to be under the care and inspection of the said Trustees and their successors in the said Trust, for ever ;

in the village of Bath to Trustees in trust for the Ernestown Academy.

And whereas the said Trustees and others are desirous that the persons who contributed to the original erection of the said Seminary, or to the recent repairs thereof, or who may contribute to the future support thereof, to the amount of two pounds ten shillings, annually, either for tuition or as a donation, should be incorporated as hereinafter provided ;

That the said Trustees, and others, were desirous of being incorporated.

And whereas a compliance with their wishes may be important to the prosperity of the said School, and to the encouragement and advancement of learning in the said Village of Bath :

Be it therefore enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled : " An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, intituled : ' An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,' " and by the authority of the same, that all such persons as contributed by subscription to the original building and erection, or to the recent repairs of the School, Academy, or Seminary of Learning, so erected and built, as aforesaid, upon the parcel of land hereinbefore mentioned, together with all such persons as now do or hereafter shall aid in, and contribute to, the support of the said School, to the amount of two pounds ten shillings, annually, either for tuition or as donations, so long as they shall pay and contribute such annual sum of two pounds ten shillings, but no longer, together with such other persons as shall hereafter contribute by subscription, donation, or advances for tuition, to the erection or support, (as the case may be,) of any future Academy to be erected and built upon the said parcel of land, to the amount of the aforesaid sum of two pounds ten shillings, annually, shall be, and they are hereby declared to be, one body corporate and politic, in deed and in law, by the name of the " Bath School Society " ; and shall have perpetual succession, and a common seal, with power to change, alter or make anew the same ; and they and their successors, by the name aforesaid, may sue and be sued, implead and be impleaded, answer and be answered unto, in all or any Court or Courts of record and places of jurisdiction within this Province ; and that they and their successors, by the name aforesaid, shall be able and capable in law to accept a conveyance or surrender of, and to have, hold, receive, enjoy, possess and retain, for the end and purposes of this Act, and in trust and for the benefit of the said Society, the parcel or tract of land hereinbefore mentioned, with the aforesaid building erected thereon, with the appendages and appurtenances thereon belonging ; and also all such sum and sums of money as have been paid or given, or shall at any time or times hereafter be paid, given, or shall at any time or times hereafter be paid, given, devised or bequeathed, by any person or persons to and for the uses and support of the said Society and School ;

Subscribers to the amount of two pounds ten shillings, incorporated.

Style of " Bath School Society " ; Common seal ; Authorized to take conveyance of School land in trust for benefit of Society. And receive all moneys paid or bequeathed to the Society.

Provided always, that no person shall on account of any subscription to the original erection or recent repairs of the said building, be considered a member of the said Society who shall not have paid his subscription on or before the first election of President, Secretary and Trustees, according to this Act.

No person to be considered a member who shall not have paid his subscription before the first election of President, etc. Present Trustees empowered to convey the School Lands to the Society.

2. *And be it further enacted* by the authority aforesaid, That it shall and may be lawful for a majority of the Trustees hereinbefore named, or of the survivors of them, by indenture under their respective hands and seals, to be duly enregistered in the Register's office of the proper County, according to the laws in that behalf now in force, to grant, bargain, sell, transfer, surrender and convey to the said Society, by the name aforesaid, the said parcel or tract of land hereinbefore mentioned, with the Academy erected thereon, and all other the appendages and appurtenances thereunto belonging, to hold the same to the said Society and their successors for ever, in trust for the uses of the said School and the purposes of this Act.

3. *And be it further enacted* by the authority aforesaid, That the affairs of the said Society shall be conducted by a President, a Secretary and three Trustees, to be chosen as hereinafter provided, at the end of every year, out of the members for the time being of the said Society, and who shall in all things superintend and manage the said School; Provided always, that in case it shall happen that the President, Secretary, or either of the said Trustees, shall, during his office, cease by the terms of this Act to be a member of the said Society, or die, or leave this Province to reside permanently abroad, his place shall be supplied by some other member, to be nominated, by the President, Secretary and Trustees, (or the majority of them,) for the time being, exclusive of the person ceasing to be such member of the said Society, dying or leaving the Province as aforesaid.

Affairs of the Society to be conducted by a President, Secretary and three Trustees.

Vacancies how supplied.

4. *And be it further enacted* by the authority aforesaid, That on the first Monday in May next, and on the first Monday in May annually, at the end of each succeeding year from the said first day of May next there shall be held a meeting of the members of the said Society, in the said building, at which meeting a President, Secretary and three Trustees, any two of whom, with the President, shall be a quorum for transacting business, shall be chosen from among the members of the said Society, by a majority of such members then and there personally present, each member being entitled to one vote, and no more.

Meeting for election of President, etc., on first Monday in May annually. Quorum.

Each member entitled to one vote.

5. *And be it further enacted* by the authority aforesaid, That after the first election of President, Secretary and Trustees, under this Act, public notice of such meetings for the election of officers of the said Society be given in one or two of the newspapers published in the Midland District, signed by the President, for the time being, at least one calendar month before the period of such meeting and election.

Public notice of election of officers.

One calendar month before the meeting.

6. *And be it further enacted* by the authority aforesaid, That in case it should at any time happen that an election of President, Secretary and Trustees, should not be made on any day, when, pursuant to this Act, it ought to be made, the said Corporation shall not for that cause be deemed to be dissolved, but that it shall and may be lawful on any subsequent day, notice thereof, signed by at least five stockholders, having been affixed on some conspicuous place on the said building, and a copy thereof printed in one or more of the newspapers published in said District, for at least thirty days previously, to make and hold an election of President, Secretary and Trustees, in the same manner as if the election had been held on the day appointed by this Act: Provided, that when two or more notices shall be given, as aforesaid, naming different days for an election, as aforesaid, to take place, the earliest day named in either of said notices, of which thirty days' notice shall be given, shall be the day for proceeding to the election, in manner aforesaid.

Corporation not dissolved by non-election of President on appointed day.

Election may be held on any subsequent day, on giving thirty days' notice.

If more than one notice, the earliest named day to be the day of election.

7. *And be it further enacted* by the authority aforesaid, That the President, Secretary, and Trustees, so to be elected and chosen as aforesaid, or a quorum as aforesaid, shall and may transact and manage all and singular the affairs and business of the said Society, of what nature and kind soever, and shall have the full and absolute superintendence of the said School or Academy; and shall and may select and appoint, or dismiss and remove the Teacher or Teachers thereof; and shall and may make and establish such rules and regulations for the good government of the said School, with respect to the Teachers, Scholars, books used, subjects taught, and all other matters whatsoever, as to them shall seem expedient.

Authority of President, Secretary, etc., or a quorum.

To appoint teachers, etc.

8. *And be it further enacted* by the authority aforesaid, That it shall be the duty of the President, Secretary and Trustees, aforesaid, to keep a plain, distinct and accurate record of all their proceedings, and to deliver over the same, with all books or records belonging to said Society, and to their successors.

To make rules and regulations.

Record to be kept.

9. *And be it further enacted* by the authority aforesaid, That no person shall be eligible to the office of President, Secretary or Trustee, in the said Society, or be capable of being chosen or appointed to be a Teacher in any School or Academy under their superintendence, who is not a natural born subject of His Majesty, or a subject naturalized by Act of the British Parliament, or by an Act of the Legislature of this Province.

None but British subjects eligible to be President.

10. *And be it further enacted* by the authority aforesaid, That it shall not be lawful for the said Corporation to hold stock, property or effects, for the purposes aforesaid, to a larger amount than five thousand pounds.

Limitation of stock.

11. *And be it further enacted* by the authority aforesaid, That the Legislature of this Province may, at any time hereafter, make such alterations in this Act, as to them may seem expedient.

Future alteration of this Act.

CHAPTER IX.

EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA
LEGISLATURE IN 1835.

On the 16th of January, 1835, His Excellency Sir John Colborne, Lieutenant-Governor, opened the first session of the Twelfth Parliament of Upper Canada with usual Speech from the Throne. In it he made no reference to Education or Schools.

1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY, 1835.

This being a new Parliament, the composition of the House of Assembly was greatly changed from what it was during the Eleventh Parliament.

In this House there were sixty members—thirty-seven, or more than one-half, were new members. Their names were Messieurs James E. Small, Charles Richardson, Alexander Chisholm, Charles Waters, Thomas Mackay, William Bruce, M.D., Donald Æ. McDonell, John Chesser, (in place of Mr. Alexander McDonell, of Prescott County, deceased), John Cook, Hiram Norton, William B. Wells, Ogle R. Gowan, Robert S. Jameson, Attorney-General, (in place of John H. Boulton), Edward Malloch, Josias Tayler, Jacob Shibley, John Strange, Henry W. Yager, John Gilchrist, Samuel Lount, David Gibson, Thomas David Morrison, John McIntosh, Dennis Wolverton, George Rykert, Gilbert McMicking, Harmannus Smith, Jacob Rymal, Thomas Parke, Elias Moore, Robert Alway, David Duncombe, William McCrae, Nathan Cornwall and Francis Caldwell. Mr. James Durand, who had been elected a member of the House of Assembly, for the County of Niagara, in 1814, and for the County of Wentworth in 1817, was elected to this Parliament for the County of Halton.

Of these new members the most noted was Attorney-General R. S. Jameson,* afterwards Vice-Chancellor, and, under the Common School Act of 1841, was, on the 11th of May, 1842, appointed Chief Superintendent of Education for Canada West, or Upper Canada. The other well-known members were Messieurs James E. Small, Ogle R. Gowan, Samuel Lount,† Thomas D. Morrison, M.D.,‡ Gilbert McMicking, Harmannus Smith, M.D., and Thomas Parke.

Mr. James Edward Small became Solicitor-General; Mr. Thomas Parke, Surveyor-General; and Mr. Gilbert McMicking, Collector of Customs, at Queenston, in the early forties. Each of them afterwards occupied other positions, and were

* Mr. Jameson, before removing to Canada, had filled a judicial position in the West Indies. In Canada he was successively Attorney-General and Vice Chancellor, the Chancellorship being vested in the Crown. . . . He had been the familiar associate of Southey, Wordsworth and S. T. Coleridge. [Scadding's Toronto of Old.]

† This was the Mr. Samuel Lount, whose death, with his friend, Peter Mathews, was one of the ill-fated victims of the Rebellion of 1837-38.

‡ A notice of Dr. T. D. Morrison will be found in a note on page 251 of the First Volume of this Documentary History.

noted as prominent public men. Dr. Harmannus Smith was long a member of the House of Assembly; and Mr. Ogle R. Gowan was well known as an active public man for many years. His election, and that of Mr. Robert Sympson Jameson, the Attorney-General, for the County of Leeds, in 1835, was protested against, and the House of Assembly declared their election void. It was decided, however, as inadvisable to issue a writ for a new election on the ground that there was

“No probability that a peaceable and quiet election will be held in the said County of Leeds . . . under the present law for holding elections; and therefore the Committee . . . recommend that no writ for a new election be ordered until steps are taken to secure the freedom of elections, etc.”

Attorney-General Jameson and Mr. Ogle R. Gowan, although declared by the House of Assembly to be illegally elected, were allowed to retain their seats in the House, solely for the reason above stated. I mention the case because of its singularity, and by way of contrast to the present state of affairs in such matters.

One active member of the House of Assembly for many years, disappeared from that arena, owing to his death since the House had last met. He is mentioned in the First Volume of this Documentary History (page 93), as Treasurer of the Midland District School Society, Kingston—also frequently mentioned in that Volume. He was elected a member of the House of Assembly in 1825, 1829, 1831. His widow petitioned the House of Assembly in 1835, “for remuneration, in consideration of her late husband’s public services.”

The House of Assembly entertained her Petition favourably; and in 1836 a Committee of the House stated in a report on the Petition that

To the personal exertions of the late Mr. Thomson, the Province is mainly indebted for the establishment of its Penitentiary; and that he devoted much of his time, and doubtless expended considerable from his private funds, in obtaining information relative to the erection and superintendence of the same, etc.

Another member also disappeared from the Legislative arena this session, and that was Mr. Mahlon Burwell. He had been elected for the Counties of Oxford and Middlesex in 1813, 1817, and 1820, and for the County of Middlesex in 1831, but was defeated at the election of 1835. In March of that year he addressed a Memorial to Sir John Colborne, on the subject of Common School Education, which His Excellency transmitted to both Houses of Parliament on the 23rd of March.

January 26th, 1835.—Mr. Peter Perry, seconded by Mr. Alexander Chisholm, moves for leave to bring in a Bill for the sale and leasing of the Clergy Reserves in this Province for the purposes of General Education, etc.

January 19th, 1835.—Mr. Alexander Chisholm gives notice that he will, on to-morrow, move for the appointment of a Committee of five members on the subject of Education and the School Lands in this Province, with power to send for persons and papers and to report by Bill, or otherwise.

Mr. George Rykert brought up the Petition of Mr. William Hamilton Merritt and three others, Trustees of Grantham Academy, St. Catharines, which was laid on the Table.

Mr. George Rykert gives notice that he will, on Thursday next, move for leave to bring in a Bill to amend the Charter of the Grantham Academy. (i.e., Act of Incorporation, on page 313 of the First Volume of this Documentary History.)

Mr Charles Duncombe gives notice that he will, on Monday next, move for leave to bring in a Bill regulating Common Schools, and making further provision for the support of the same.

Mr. William Morris gives notice that he will, on to-morrow, move an Address to His Excellency the Lieutenant-Governor, to know if any, and what, answer has been received by His Excellency from His Majesty's Government, in reply to the Address of this House, at the last session, [4th of December, 1833, page 135,] on the subject of the School Lands.

21st January, 1835.—The House went into Committee of the Whole to consider the Speech of His Excellency the Lieutenant-Governor at the opening of the present Session. The Committee agreed to a series of resolutions on the subject.

Agreeably to the Order of the Day, the Petition of Mr. William Hamilton Merritt and three others, Trustees of the Grantham Academy, shewing that, by the Act of Incorporation, the Trustees are not authorized to liquidate any debts contracted by the Institution by the sale of real estate, and praying for an appropriation to enable them to pay the debts of the Corporation, and to employ competent Teachers ; or, the passing an Act enabling them to sell so much of the estate as will pay the debts.

January 22nd, 1835.—On motion of Mr. George Rykert, seconded by Mr. Charles Duncombe, it was ordered, That the Petition of the Trustees of the Grantham Academy be referred to a Select Committee to be composed of Messieurs George Rykert, Allan N. Macnab and David Duncombe, with power to report thereon by Bill, or otherwise.

Agreeably to the Order of the Day, the second Resolution, (relating to Education,) adopted by the Committee of the Whole House, of yesterday, in consideration of His Excellency's Speech from the Throne, at the opening of the present Session was read, as follows :

2. *Resolved*, That this House . . . feel it to be their duty to state that they cannot but regard the subject of General Education, as of the most vital importance to the future peace and welfare of this Colony. On which the yeas and nays were taken as follows : Yeas, 33 ; Nays, 22. Carried in the affirmative by a majority of 11, as follows :

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, assure your Excellency that we cannot but regard the subject of General Education as one of the most vital importance to the future peace and welfare of the Province.

January 23rd, 1835.—On motion of Mr. George Rykert, seconded by Mr. Charles Duncombe, it was ordered that that part of the Petition of the Trustees of the Grantham Academy, St. Catharines, praying for a grant of money, be transferred from the Select Committee, to which it was referred, on yesterday, to the Committee of Supply.

January 26th, 1835.—Agreeably to notice, Mr. Alexander Chisholm, seconded by Mr. Samuel Lount, moves, that Messieurs Donald McDonell, William Bruce, James Durand and Peter Perry, be a Committee on the subject of Education in this Province, with power to send for persons and papers, and to report by Bill, or otherwise, which was ordered.

Mr. George Rykert, from the Select Committee to which was referred the Petition of Mr. William H. Merritt and others, Trustees of the Grantham Academy, St. Catharines, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. The Report was received, and the Bill to amend the Charter of the Grantham Academy, was read a first time, and ordered for a second reading to-morrow.

At two o'clock p.m., the House waited upon Lieutenant-Governor, with its Address, in answer to His Excellency's Speech from the Throne, and, being returned, the Speaker reported the following reply, which had been made to the Address. That part of it relating to Education, was as follows :

GENTLEMEN :

No subject has been more constantly brought under the notice of the Legislative Council, and the House of Assembly, than that of Education.

An efficient system can scarcely be adopted in sections of the country where settlers are widely scattered.

Township Schools, however, should be immediately organized and some practical mode decided on, for applying the funds which may accrue from the sale of School Lands, not alienated by His Majesty's Government, and which have been placed under the control of the Legislature, at the request of the House of Assembly, by the King ; and, I again suggest the expediency of appointing a Commission to carry into effect the measures of the Legislature in regard to the distribution of the proceeds of these lands. . . .

Agreeably to notice, Mr. William Morris, seconded by Mr. Peter Shaver, moves that an humble Address be presented to His Excellency, the Lieutenant-Governor, to know if any, and
11 (D.E. II.)

what, answer has been received to the Address of this House of the last Session, [4th of December, 1833, page 135,] respecting School Lands; and that Messieurs Archibald McLean and Edward Malloch be a Committee to draft and report the same, which was ordered.

Mr. Archibald McLean, from the Committee to draft an Address to His Excellency, the Lieutenant-Governor, to know if any, and what, answer has been received to the Address of this House, adopted at its last Session, respecting School Lands, reported a draft, which was received, read twice, adopted, and ordered to be engrossed and read a third time this day.

On motion of Mr. Peter Perry, seconded by Mr. Peter Shaver, it was ordered, that an Address be presented to His Excellency, the Lieutenant-Governor, requesting that His Excellency will be pleased to lay before this House a complete statement of all such lots, tracts, parcels or blocks of land, as have been reserved or set apart for a School Teacher, Master, or School House, in the several Townships of this Province, or which appear, by any memorandum on the plans, or records, in the Surveyor-General's, or Executive Council, Office, to have been reserved, or set apart, for the purposes of Education, Schools, or School Masters, and not included in the reservation made under the authority of the Duke of Portland's Despatch in the year 1797; and that the 31st rule of this House be dispensed with, so far as relates to the same.

On motion of Mr. Peter Perry, seconded by Mr. William Bruce, it was ordered, that Messieurs Peter Shaver and William B. Wells, be a Committee to draft and report an Address to His Excellency, pursuant to the foregoing Resolution.

Pursuant to the Order of the Day, the Address to His Excellency for information on the subject of School Lands, was read a third time, passed and signed, and is as follows:

To His Excellency, Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.:

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly beg leave to request that Your Excellency may be pleased to inform this House if any, and what, answer has been received to the Address of this House to His Majesty, adopted at its last Session, on the subject of the School Land Reservation. (See page 135 of this Volume.)

MARSHALL S. BIDWELL,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
23rd January, 1835.

January 27th, 1835.—Mr. William Morris, from the Committee to wait upon His Excellency, the Lieutenant-Governor, with the Address of this House for information from His Majesty's Government on the subject of School Lands, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

I have received no answer [from His Majesty's Government] to the Address of the House of Assembly of last Session, [page 135 of this Volume,] relative to School Lands.

J. C.

GOVERNMENT HOUSE,
TORONTO, 27th of January, 1835.

Pursuant to the Order of the Day, the Bill to amend the charter of the Grantham Academy was read the second time and referred to a Committee of the Whole House. Mr. William L. Mackenzie was called to the chair.

The House having resumed, Mr. Mackenzie reported the Bill without amendment.

January 28th, 1835.—Pursuant to the Order of the Day, the Bill to amend the Charter of the Grantham Academy was read the third time. On the question for passing the Bill, the yeas and nays being taken, were as follows: Yeas, 24; Nays, 14; carried by a majority of 10.

January 29th 1835.—Mr. Wells, from the Select Committee to draft an Address to His Excellency the Lieutenant-Governor, asking for information relating to Lands set apart for certain purposes in connection with Schools, reported a draft, which was received, read twice, adopted and ordered to be engrossed and read a third time this day.

January 30th, 1835.—Agreeably to the Order of the Day, the Address to His Excellency the Lieutenant Governor asking for information relative to certain reservations of Lands for School purposes, was read the third time, passed, and signed by the Speaker, and is as follows:

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc. :
MAY IT PLEASE YOUR EXCELLENCY :

We His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency will be pleased to cause to be laid before this House a complete statement of all such lots, tracts, parcels, or blocks, of land as have been reserved or set apart for a School Teacher, Master, or School House, in the several Townships of this Province; or which may appear, by any Memorandum, on the plans or records, in the Surveyor-General's, or Executive Council, Office, to have been reserved, or set apart, for the purposes of Education, Schools, or School Masters, and not included in the Reservation of Lands made under the authority of the Duke of Portland's Despatch of November the 4th, in the year 1797.

MARSHALL S. BIDWELL,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
30th of January, 1835.

Mr. Solicitor-General Hagerman gives notice that he will, on Monday, the ninth of February next, move for leave to bring in a Bill to vest in Commissioners such Lands as may be appropriated to purposes of Education, and to make provision for the disposal of the same for the support of Grammar and Common Schools throughout the Province.

February 17th, 1835.—The Petition of Mr. William Bergin, (which was presented to the House, by Mr. Peter Robinson, on the 13th instant,) on behalf of the Roman Catholics of the City of Toronto, shewing that a building lot has been granted by His Excellency for the erection of a School in said city, but the Petitioners represented, being principally emigrants, without means to accomplish the object intended by the grant, pray that five hundred pounds, (£500,) may be granted to them for the purpose, was read.

[NOTE.—Nothing further was done with this Petition. See the case brought before the House by Mr. Peter Perry, on the 3rd of December, 1833, pages 134 and 137 of this Volume.]

On the same day, the House of Assembly adopted an Address to the Lieutenant-Governor, which had been reported on the 7th of February, 1835, by the Select Committee on Grievances, asking, among other things, for :

The accounts in detail, shewing the moneys paid by Warrant of Your Excellency on the Receiver-General to, or on behalf of, the Honourable and Right Reverend Bishop Macdonell . . . in consequence of an annual grant of seven hundred and fifty pounds, (£750,) since increased to one thousand pounds, (£1,000,) a year, together with the sums paid to each . . . School Master . . . (This Return was duly made to the House on the 8th of February, 1836.)

A Specific Return shewing the nature of the services, for which the Honourable and Venerable Archdeacon Strachan appears to have received eight hundred and seventy-four pounds, (£874,) sterling, out of the public revenues of this Province. . . . (See page 170.)

On motion of Mr. William L. Mackenzie, seconded by Mr. John Cook, it was ordered that Messieurs Alexander Chisholm and David Thorburn be a Committee to present the Address to His Excellency.

The Address having been presented to the Lieutenant-Governor, he replied, (on the 19th February,) that he would direct the information applied for . . . to be laid before the House of Assembly. The information relating to payments to Roman Catholic School Teachers, was laid before the House of Assembly on the 8th of February, 1836 as will be seen by reference to the educational proceedings of the House of Assembly of that year. The information asked for from Doctor Strachan will be found on page 170 of this Volume.

Mr. Charles Duncombe gives notice that he will, on to-morrow, move for leave to bring in a Bill, authorizing His Majesty, or such other person, or body, as the Legislature shall, from time to time, think proper to authorize, to hold lands upon which Public School Houses are erected.

February 18th, 1835.—Mr. Solicitor-General Hagerman brought up the Petition of Mr. John Macaulay, President, and nineteen others, being a Committee of Management of the Kingston Mechanics' Institute, which was laid on the Table.

February 19th, 1835.—Mr. Charles Duncombe gives notice that he will, on to-morrow, move this House go into Committee of the Whole, to enable him to move for a grant of a sum of money for the support of Common Schools in this Province, similar to the same grant last year, and the year before.

February 20th, 1835.—Pursuant to the Order of the Day, was read the Petition of Mr. John Macaulay, President, and nineteen others, who were the Committee of Management of the Mechanics' Institute in the Town of Kingston: The Petitioners state that they "represent an Institution established by the Mechanics and others of the Town of Kingston, for the cultivation of Science, Literature and the Arts; the foundation of a Library and a Museum of Natural History; that the Institution has been formed nearly a year, and, although it has had many difficulties to encounter, yet that several hundred volumes of a Library have been given, a Reading Room established, and a number of natural curiosities collected. That were the means of the Institution equal to the wide field open for its exertion, the most gratifying results might be expected. That Petitioners, relying on the attention shown by the House to the subject of Education, and appealing to their sense of the great importance of improving the mental condition of the working classes, humbly solicit a grant of money to be applied to the legitimate objects of the Institution." (See page 111 of the First Volume of this Documentary History.

February 26th, 1835.—Pursuant to the Order of the Day, the following Petition was read: Of Mr. William Johnson and forty-eight others of the Township of Georgina,—in the Home District—stating that Petitioners, "having subscribed a sum of money to raise a House for the purpose of a Common School, and as the said subscriptions will not cover the amount of the whole expense of such a building, (twenty feet by thirty), they look with confidence to the House of Assembly for assistance to complete this all important object;" and praying that the House will grant them their just share of the Clergy Reserves, for the education of their children, whose number exceeds, by the last census, one hundred males and eighty-four females, under sixteen years of age.

March 3rd, 1835.—Pursuant to the Order of the Day, the Grievance Committee's Address to His Excellency, the Lieutenant-Governor, for information on the subject of Upper Canada College and the University of King's College, was read a third time and passed, and is as follows:

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc.:

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, humbly request that Your Excellency would be graciously pleased to direct that there be laid before this House statements, entering into detail of particulars, and showing:

First.—The whole expense which has attended the building of Upper Canada College, with the houses, outhouses and gardens thereto belonging, and all the improvements and alterations made in the said premises, from the commencement up to this time, with the authority under which such buildings were erected, and such alterations and improvements made, and from what funds the payments have been severally taken.

Second.—The expenditure which has been made on the grounds purchased for King's College from the time the grounds were purchased, with all the salaries, incomes, allowances, fees, perquisites and emoluments of every description, paid, or ordered to be paid, to any persons as officers, servants or workmen, or in any other way connected with the Institution up to this date, showing what each person has received, and describing the services he has rendered therefor, and the sums alleged to be due to any persons, as officers of the said Institution.

Third.—A copy of any communications from His Majesty's Government, by authority of which seven hundred and twelve pounds sixteen shillings and two pence, (£712 16s. 2d.,) were paid to the Venerable Archdeacon Strachan out of the College funds, as expenses of a journey to England performed by him (in 1827). (See page 170 of this Volume.)

Fourth.—The receipts arising from whatever source of the Upper Canada College since the 30th June, 1831, the debts due to the College, the income arising from fees of tuition and the rates of tuition; also the expenditure of the College since the said thirtieth day of June, 1831, detailing the fixed salaries and the contingencies, and mentioning to whom they were severally paid, and at what times, and for what services, and stating all debts, or obligations, against the Institution, and the whole income, wages, emoluments and allowances paid to its officers and servants severally.

Fifth.—Full and detailed statements of particulars of the Receipts and Payments of which a general abstract only is given in the documents respecting King's College, Upper Canada College and the General Board of Education; which accompanied your Excellency's Message to this House of the twelfth of January, 1832, (page 60), and pointing out what the services are for which certain officers, not named, had received two hundred pounds, (£200.) up to that period, and claimed four pounds, (£4.) more, as arrears, from the funds of King's College.

Sixth.—A statement, going into particulars, and showing what moneys have been paid into the Treasury of King's College since the thirtieth day of June, 1831, and mentioning the

reasons, if any, why the funds of King's College and Upper Canada College might not be paid to, and by, the Receiver-General, and the burthen of a plurality of officers and offices be thus removed.

Seventh.—A statement of the number of Scholars taught at Upper Canada College, from its commencement till the present time, and mentioning the number in attendance on the fifth days of January, April, July and October of each year, with the number of Scholars sent from the country, and the number of them taught, belonging to this City.

Eighth.—An account of the course of Education in Upper Canada College, the extent of the vacations, the books used by the different classes, with an account of their progress respectively, and the names and number of all children taught, without being liable to the payment of fees, as also, whether the scholars, or any part of them, are required to conform to, or be instructed in, the particular creeds, or religious exercises, of any Christian denomination. (See page 171.)

COMMONS HOUSE OF ASSEMBLY,
3rd March, 1835.

MARSHALL S. BIDWELL,
Speaker.

March 3rd, 1835.—On motion of Mr. Perry, seconded by Mr. Shaver, Ordered, That Messieurs John P. Roblin and William B. Wells be a Committee to wait on His Excellency with this Address, and present the same.

(NOTE.—The Return to this Address is given on pages 170-173 of this Volume.)

March 4th, 1835.—Pursuant to the Order of the Day, the Clergy Reserve Sale Bill, introduced on the 16th of January, 1835, by Mr. Peter Perry, (for the purposes of general education), and read a second time on the 2nd instant, was read a third time.

On the question for passing the Bill, after two amendments had been lost, it was carried in the affirmative by a vote of 39 yeas to 7 nays: (Messieurs George S. Roulton, Archibald McLean, William Morris, William B. Robinson, Josias Tayler, John A. Wilkinson and Christopher A. Hagerman, (Solicitor-General):—being a majority of 32 votes, and the Bill, thus passed, was signed by the Speaker.

Mr. Peter Perry, seconded by Mr. Thomas D. Morrison, moves that the Bill be intitled: "An Act for the disposal of the Clergy Reserves in this Province for the purposes of General Education." The Speaker ordered Messieurs Peter Perry and John P. Roblin to carry the same up to the Honourable the Legislative Council, and ask for its concurrence thereto.

March 7th, 1835.—Mr. John P. Roblin from the Committee to wait upon His Excellency, the Lieutenant-Governor, with the Address of this House, asking for information on the subject of Upper Canada College and the University, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

I will direct the information required in this Address to be procured for the House of Assembly. (See pages 170-173 of this Volume.)

GOVERNMENT HOUSE,
TORONTO, 7th March, 1835.

J. C.

March 11th, 1835.—Pursuant to the Order of the Day, the following Petition, presented by Mr. T. D. Morrison on the 9th instant, was read: Of Mr. John Crosby and six others, inhabitants of the Township of Markham, setting forth that have erected a very commodious Brick School House by subscription, on the Seventh Concession of said Township; but, though the subscriptions were liberal, they could not raise sufficient to pay the expenses of putting up said house—that the land has been given upon which the School House stands, and from fifty to sixty scholars are daily taught in it by one of the best Teachers in the Township; that from the important subject of Common School Education, and the advantage of erecting permanent buildings for that purpose, Petitioners pray that forty pounds, or fifty pounds, may be granted them to assist in furnishing said house. (Referred, on the 18th, to the Select Committee on Education.)

The Petition of the Reverend Angus McDonell and others, presented on the 9th instant, praying for corporate powers to hold certain lands for a Seminary, in Kingston, was referred to a Select Committee, composed of Messieurs Donald McDonell, Archibald McLean, Donald A. E. McDonell, John Strange and Solicitor-General Hagerman.

March 12th, 1835.—Mr. Secretary Rowan brought down from His Excellency the Lieutenant-Governor, the following Message, and having retired, and it was read by the Speaker:

J. COLBORNE:

The Lieutenant-Governor transmits to the House of Assembly the accompanying Documents relative to the lots of land set apart for Schools and School Masters, in compliance with the Assembly of the thirtieth of January, 1835. (See pages 163 and 166 of this Volume.)

GOVERNMENT HOUSE,
TORONTO, 11th March, 1835.

J. C.

These documents are as follows :

Schedule of Lots reserved for the use of Schools and School Masters

Lots.	Concession.	Township or Towns.	Acres.
20	4	*Lancaster	200
20	6	*Matilda	200
21	5	*Osnabruck	200
D	5	*Roxborough	200
7	2	*Kenyon	200
18	4	*Williamsburg	200
16	3	*Marlborough	200
18	5	*Elizabethtown	200
17	5	*Edwardsburgh	200
16	5	*Oxford	200
14	4	*Lansdowne	200
12	4	*Yonge	200
14	3	*Yonge, formerly Escott	200
14	4	*Leeds	200
31	1	*Ernestown	300
18	4	*Camden	200
19	1	*Sydney	298
3	1 E. H. Street.	Toronto	200
A Block of land in rear of the Town of Chatham, the Township line of Raleigh, Harwich and Wellington Streets.		Harwich	12
11	West side Lenox Street	Township of Richmond	1
Blocks B and C	.....	Township of Johnstown	8
37, 72, 99	.....	+Town of Kingston	$\frac{3}{10}$
130, 131	.....	+ " " .....	$\frac{2}{10}$
28, 29	East of Church Street	" " Belleville	$\frac{1}{10}$
28, 29	West of Rear Street	" " "	$\frac{1}{10}$
19	West of Pinnacle Street	" " "	$\frac{1}{10}$
A Block.	South of Third Street	+ " " Newcastle	$\frac{1}{10}$
74	North of Colton Street	" " " Barrie	$\frac{1}{10}$
4, 5, 6	West of Ramsay Street	+ " " Gwilliambury	$\frac{1}{10}$
5	East of Ramsay Street	" " "	$\frac{1}{10}$
A Block.	North of Newgate Street	" " York	6
A Block.	.....	+ " " Brantford	$\frac{4}{10}$
A Block.	.....	+ " " Cayuga	$\frac{1}{10}$
203, 204	.....	* " " Niagara	4
225, 226	.....	* " " " .....	4
291, 292	.....	* " " " .....	4
313, 314	.....	.....	.....
6	South of Third Street	+ " " London	$\frac{1}{10}$
9	West of Bedford Street	+ " " Sandwich	1

*Reserved under an Order-in-Council, dated Quebec, the 25th of August, 1789.

+The Lots in these Towns were returned on the Plan of each as reserved for Schools, etc.

in the different Townships and Towns in this Province.

Districts.	For what purpose reserved.	Remarks.
Eastern	School Master.....	License of occupation to Mr. W. C. McMill and others.
"	"	
"	"	
"	"	License of occupation to Mr. Roderick McDonell.
Johnstown.....	"	
"	"	
"	School	
"	School Master.....	
"	"	Marked on map, compiled in 1801, and supposed to be a certificate from Quebec, but not described.
"	"	Granted in trust to the Reverend J. Sloughton and others, for the use of a School.
Midland	School	Granted in trust to Mr. W. Tompson, and reserved by Order-in-Council on the 22nd of April, 1819.
"	School Master	Grants in trust to Mr. D. Ostrum and others for the use of a School.
"	School	
Home	School Master	
Western	Common School	Granted in trust to the Reverend T. Morley and others, and Reserved for a School, by Order-in-Council, on the 11th of January, 1812.
Bathurst	School House.....	Reserved by the Quarter-Master General's Department in 1818.
Johnstown	Parsonage and School House	Reserved by the Land Board, 17th of January, 1750.
Midland	Public School	
"	School Master	
"	Grammar School	Granted to the Reverend T. Campbell and others, in trust, for School; and Reserved by Order-in-Council, on the 6th of December, 1827.
Midland	Common School	Reserved by Order-in-Council, on the 27th of November, 1834.
Newcastle	School	
Home	"	
"	Public School	
"	Master	
"	School	Granted in trust to the Honourable Chief Justice Powell and others, for a School; and Reserved, by Order-in-Council, on the 9th of June, 1818.
Gore	"	
"	"	
Niagara	Church, Parsonage and School House	License of occupation to the Reverend Thomas Green.
"	"	
"	"	
London	Public School	
Western	"	Granted in trust to Messieurs John Gregor and H. Hands.

TORONTO, 5th March, 1835.

S. P. HURD,
Surveyor-General.

NOTE.—By Order-in-Council, dated the 9th of June, 1818, the land attached to the Government, (or Elmsley,) House, in the Town of York; Russell's Square and Simcoe Place, in the Town of York; the Park, or Government Reserve, East of the Town of York; . . . and the School Reservation, in the Town of York, were granted to the Honourable Chief Justice Powell, the Honourable James Baby and the Honourable and Reverend Doctor John Strachan, and to their heirs and assigns for ever, in trust, to observe such directions, and to consent to and allow such appropriations and disposition of them, as the Honourable the Executive Council for the affairs of this Province, for the time being, shall, from time to time, make and order, pursuant to the purpose for which the said parcel or tract of land was originally reserved, and to make such conveyances, etc. (See Deed for the School Reservation, given in 1834 in Chapter xiii., page 226, of this Volume.)

(Present in Council the Honourable James Baby, (Presiding,) Samuel Smith and John Strachan.)

Truly extracted from the Minutes in Council of the 9th of June, 1818. JOHN BEIKIE, Clerk.

March 14th, 1835.—On motion of Mr. Peter Perry, seconded by Mr. Alexander Chisholm, it was ordered that the several papers and documents sent down to the House by the Lieutenant-Governor on the 11th instant, (Page 165), relative to certain lands set apart in the several Townships in this Province for the School Masters and Schools, be referred to the Select Committee to whom was referred the subject of Education.

March 16th, 1835.—Mr. Alexander Chisholm of the Select Committee, to which was referred the subject of Schools and Education, informed the House that the Committee had agreed to report by Bill, a draft of which was ready to submit whenever the House would be pleased to receive the same. It was ordered that the Report be received; and the Bill was read a first time, and ordered to be read a second time to-morrow.

On motion of Mr. Alexander Chisholm, seconded by Mr. James Durand, it was ordered that two hundred copies of the Bill "To promote Education" be printed for the use of Members.

March 17th, 1835.—Pursuant to the Order of the Day, the following Petition, presented to the House on the 14th instant, was read: Of the Reverend William Lord, President, and the Reverend James Richardson, Secretary, of the Wesleyan Methodist Conference in Canada, praying for an Act of Incorporation to be granted to the Trustees and others of the Upper Canada Academy at Cobourg. (See Chapter xv. of this Volume.)

On motion of Mr. John P. Roblin, seconded by Mr. William Bruce, it was ordered that the Petition of the Reverend William Lord and of the Reverend James Richardson, be referred to a Select Committee, to be composed of Messieurs John P. Roblin, Peter Shaver, and Harmannus Smith, with power to send for persons and papers, and to report thereon, by Bill, or otherwise.

March 18th, 1835.—Mr. Alexander Chisholm, from the Select Committee on Education reported a Bill, "To amend the Charter of King's College," which was received and read a first time. It was ordered that the Bill from this Committee, be read a second time to-morrow.

On motion of Mr. Chisholm, seconded by Mr. Durand, it was ordered that two hundred copies of the Bill to amend the Charter of King's College, be printed for the use of Members.

March 19th, 1835.—Mr. Speaker reported that Mr. Secretary Rowan had, yesterday, brought down from His Excellency the Lieutenant-Governor a Message. Mr. Speaker then read the Message as follows:

J. COLBORNE:

The Secretary of State for the Colonies having received the Address to the King from the House of Assembly, of the fourth of December, 1833, (page 138), respecting the Lands originally set apart for the advancement of Education, the Lieutenant-Governor is acquainted by the Secretary of State, for the information of the House of Assembly, that it appears that the allotment made in 1797, for Schools, and larger Seminaries, consisted of twelve Townships; and that, although taken in their extent, these would amount to a quantity not remote from that named by the Assembly, yet after making the necessary deduction for Crown and Clergy Reserves, they would not exceed 549,207 acres.

That, of this quantity, 291,944 acres are comprised in the assignments made to the University, and to Upper Canada College, while about 240,000 acres are estimated to be actually available for the assistance and endowment of Schools; only 17,263 acres remain to be accounted for, and the appropriation of these would be more than explained by the grants which are specified by the Assembly, as having been made to Surveyors for surveying.

The Lieutenant-Governor trusts that these explanations will satisfy the Assembly, that there has not been an improper diminution of the quantity of the lands reserved in 1797 for Schools and larger Seminaries: that the endowment of King's College, having been brought under the consideration of the Legislature, the regulation of that Institution still remains to be

finally adjusted, according to the advice of the Legislature; that the establishment of a College, or University, for the instruction of youth formed one of the objects prayed for in the Address from the Legislative Council and House of Assembly, dated the 3rd of July, in the year 1797, and that the institution of larger Seminaries than the District (Grammar) Schools was expressly adverted to in the communication, by means of which His Majesty signified his compliance with that Address.*

That, whatever difference of opinion, therefore, may exist as to the most appropriate share to be devoted to the purpose, there can be no doubt that the allotment of some of the Reserves for Education to a University is strictly conformable with the objects of the endowment, and that to exhaust the entire amount of the estate in the enrichment of District (Grammar) Schools would contravene the designs of those, by whom the property was first set apart.

But, if the application of part of the Reserves for Education to the endowment of a University cannot be deemed a diversion of them from their proper use, it will hardly be denied that the exchange, by means of which they were thus applied, was highly advantageous.

His Majesty resumed 225,944 acres out of the School Townships, and granted to the Corporation of King's College, in lieu of them, an equal quantity of Crown Reserves, most of them under lease, in old and settled Townships, where the lands bore a great value; it may be presumed that, had this endowment not taken place, the same Reserves would have become the property of the Canada Company, in common with the rest of the Crown Reserves in the surveyed Townships, or, at any rate, would never have been exchanged for such inferior land as that in the School Townships; that, with these views, the Lieutenant-Governor conveys His Majesty's gracious permission to adopt a measure which he trusts will be acceptable to the Assembly.

Out of the original grant of 549,217 acres, there remain disposable about 240,000 acres, not very advantageously situated, and His Majesty authorizes the Lieutenant-Governor, if the Assembly should wish it, to select this number of acres from the settled Townships, and to resume to the Crown in lieu of them as much as is unalienated of the School Townships.

The gain which such a transaction would confer upon the endowment for Education is obvious; and it is hoped that this liberal offer will be regarded as a proof of the importance which His Majesty attaches to the great object of the instruction of the people in Upper Canada.

GOVERNMENT HOUSE,

J. C.

TORONTO, 18th March, 1835.

On motion of Mr. Charles Duncombe, seconded by Mr. Thomas MacKay, it was ordered that 500 copies of this Message from His Excellency, of the 18th instant, upon the subject of School Lands, be printed for the use of Members.

On motion of Mr. William Morris, seconded by Mr. Edward Malloch, it was ordered, That the Message sent down by His Excellency, on the subject of the School Lands, be referred to a Committee of the Whole House on Thursday next, and that it be the first item on the Order of the Day, after reading Petitions.

Mr. William L. Mackenzie, from the Committee on Grievances, to which was referred the Petition of Mr. Thomas Appleton, of the City of Toronto,† presented a Report which was received and read as follows:

REPORT OF THE SELECT COMMITTEE OF THE HOUSE OF ASSEMBLY, ON THE PETITION OF MR. THOMAS APPLETON, COMMON SCHOOL TEACHER, YORK, 1820-1828.

To the Honourable the House of Assembly:

The Select Committee on Grievances beg leave to report the following Resolution, on the Petition of Mr. Thomas Appleton, Common School Teacher, Toronto, founded on a Report made to this House in February, 1828, by Select Committee of the Assembly, composed of Messieurs John Rolph, John Mathews, Thomas Horner and James Wilson. and who appear to have gone very fully into the merits of the case.

The Report of the Committee, and the evidence in the case are printed in the Appendix to the Journals of the House for 1828; to which the House is respectfully referred.‡

COMMITTEE ROOM, HOUSE OF ASSEMBLY,
18th of March, 1835.

WILLIAM L. MACKENZIE,
DAVID GIBSON,
THOMAS D. MORRISON,
CHARLES WATERS, } Committee.

*See page 16 of the First Volume of this Documentary History.

†For a statement of the case of Mr. Thomas Appleton, (1820-1828,) see pages 244-253 of the First Volume of this Documentary History.

‡The Report of Evidence thereon, in this case of Mr. Thomas Appleton, will be found on pages 244-253 of the First Volume of this Documentary History.

Resolution (appended to the Report): That eighty-five pounds, four shillings, (£84 4s.), be paid to Mr. Thomas Appleton, Teacher of the Common School of this place, in the years 1822, 1823, 1824, 1825, 1826 and 1827, for Public moneys due to him, and withheld by the Board of Education, and for the interest thereon accruing.

March 20th, 1835.—Mr. Speaker reported that Mr. Secretary Rowan had brought down from His Excellency, the Lieutenant-Governor, the following Message, which he read as follows :

J. COLBORNE :

With reference to an Address from the House of Assembly of the third instant, the Lieutenant-Governor transmits the accompanying Documents, (numbered 1 and 2,) from the President of King's College, and the Principal of Upper Canada College. (See pages 163 and 164 of this Volume.)

GOVERNMENT HOUSE,

TORONTO, March 20th, 1835.

J. C.

1. LETTER FROM THE PRESIDENT OF KING'S COLLEGE IN REGARD TO HIS TRAVELLING EXPENSES TO ENGLAND.

The following letter, dated the 17th of March, 1835, was addressed to Lieutenant-Colonel Rowan, Secretary to His Excellency the Lieutenant-Governor :

I have the honour to acknowledge your letter of the 7th instant, enclosing an Address from the House of Assembly, requesting various Returns respecting Upper Canada College and the University of King's College ; and I beg leave to state for His Excellency the Lieutenant-Governor's information, that, as the Returns required seem to embrace a complete transcript of all the Books of these Institutions, I very much fear, that it will be impossible to satisfy the said Address to the letter, during the present Session of the Legislature, but every practicable exertion will be made ; and, in the meantime, every particle of information that can be deemed either useful, or necessary, has been directed to be furnished by the proper officer, with as little delay as possible.

In regard to one head of inquiry, numbered three, as follows :

"A copy of any communication from His Majesty's Government by authority of which £712 16s. 2d. were paid to Archdeacon Strachan out of the College funds, as expenses of a journey to England performed by him."

I most respectfully submit, that this money was paid to me in consequence of a Despatch from Lord Ripon, then Lord Goderich, dated, I believe, in June, or July, 1827, doubtless to be found in the Government Office.*

To anticipate the trouble of future inquiry, it may be convenient to state, that confining myself to the expenses incident to my journey and long detention in England, (in 1827), a journey, be it remembered, made at the express desire of His Majesty's Government, I claimed and was allowed eleven hundred pounds, (£1,100.) payable in London, where the money had been furnished to me on credit, and was chiefly expended, and where it remained at interest until repaid.

This sum included two hundred and twenty-six pounds, fourteen shillings, (£226 14s.,) sterling, paid for the performance of part of my duty during my absence, and double passage money, which the fulness of the ship obliged me to advance on my voyage homewards, leaving about a guinea and a half per day to cover my expenses while in London, and on my journey.

My services were principally devoted to the subject of Emigration ; to withdrawing the Clergy Reserves from what was judged an improvident sale ; to the procuring of an Act of the Imperial Parliament to dispose of one-fourth of the said Reserves, now in operation ; and for procuring (in 1827) the Charter establishing the University of King's College.

From the nature of these various services, it was deemed reasonable to pay one-half of the eleven hundred pounds sterling, (£1,100.) which including interest and exchange, and difference of currency, amounting to thirteen hundred and fifty-six pounds, thirteen shillings and four pence sterling, (£1,356 13s. 4d.,) from the Clergy Reserve fund, and one half from the funds of the University of King's College.

* See page 226 of the First Volume of this Documentary History.

The former half, or six hundred and seventy-eight pounds, six shillings and eight pence sterling, (£678 6s. 8d.,) was paid in July, 1828; the latter not till May, 1829, at which time the accruing interest being added, it came to seven hundred and twelve pounds, sixteen shillings and two pence sterling, (£712 16s. 2d.)—(the sum referred to by the House of Assembly.)

The services which I was enabled to perform were duly appreciated in England; and I feel justified in declaring, for it is now matter of fact, that they have been, and ever will be, beneficial to the Province, nor is the time far distant when the University of King's College, the establishment of which, on a more liberal footing than any similar institution in Great Britain, or America, I was the humble instrument in effecting, will shed light and glory over the Colony, and enbalm the names of its promoters in the grateful affections of posterity, when its ignorant and rancorous revilers are forgotten, or deservedly consigned to contempt and execration, as having been ready to sacrifice the most important interest of the present and future generations, in deference to a popular clamour, which they themselves had, for the purpose, excited.

TORONTO, 17th of March, 1835.

JOHN STRACHAN,
President of King's College.

2. RETURNS IN REGARD TO UPPER CANADA COLLEGE, 1835.

The following Letter and Returns, relating to Upper Canada College, were also furnished to the Secretary of the Lieutenant-Governor, by the Principal of the College, as required by the Address of the House of Assembly of the 3rd of March, 1835; page 164 of this Volume:

In obedience to His Excellency's request, I beg to transmit to you such statements as I am able to furnish, respecting Upper Canada College, in reply to the requisitions of an Address from the House of Assembly to His Excellency, a copy of which I received on the 10th instant.

As regards the expenditure connected with the Institution, and its financial concerns generally, I have not the same means of giving any information, they being conducted by the Bursar, the Honourable Lieutenant-Colonel Wells.

TORONTO, 13th March, 1835.

JOSEPH H. HARRIS,
Principal.

Answers to such enquiries, contained in an Address of the House of Assembly of the 3rd of March, 1835, to His Excellency the Lieutenant-Governor, respecting Upper Canada College, as the Principal's knowledge enables him to return:

1. To Question number 4, as to "Rates of Tuition," the answer is, that a quarterage of two pounds currency, (£2), for tuition, and five shillings for contingencies, (that is pens, ink, fuel, etc.) is paid by each scholar in the College forms.

A quarterage of £15 0. currency, for tuition, and five shillings for contingencies, are paid by each Scholar, in that department of the College which is called the "Preparatory School."

Terms at the College Boarding House are thirty pounds currency, (£30), per annum, for Board and Tuition.

The requisite books and other materials are furnished by the College, and are charged to the pupils, in addition to the above terms.

A sufficient stock of Books, etc., is ordered every year from England, from which the College is enabled, after covering the expenses of shipment, etc., to supply the boys at a cheaper rate than the same articles could be purchased in the city.

2. To Question number 7, as to the number of scholars, etc.: The number of scholars, whose names have been entered at Upper Canada College since its commencement, or opening, (in 1830), up to the present time, March, 1835, is three hundred and twenty-four, (324); but, as the names of some scholars, who have been withdrawn for a time, and afterwards sent back to the College, appear more than once on the list, the number of individual boys who have received Education at the College may be stated at three hundred and twenty, (320).

Schedule of Scholars in Upper Canada College in several quarters, ending at the annexed dates.

Note to this Schedule.—The Address of the House of Assembly desires a statement of the numbers in attendance on the 5th of January, April, June and October, in each year; but, as the College quarters end as below, and the lists are then formally entered, the following is the most accurate return that can be rendered, and I trust that it will be found to approach sufficiently near to the prescribed dates to answer the purpose intended.

	Scholars in the year—					
	1830	1831	1832	1833	1834	1835
Quarter ending on March the 20th.....	89	124	101	114	114	124
Quarter ending on June the 3rd.	106	124	106	117	113	139
Middle of August, (Summer vacation).....	105	126	99	121	116	129
Christmas Vacation	119	109	107	116	115	114

NOTE.—A similar return to this, up to December, 1832, with other information, relating to Upper Canada College, was furnished to a Committee of the House of Assembly in December, 1832, to which I beg leave to refer. (Page 96.) Observing, in explanation, that the slight discrepancies between the numbers here given and those in the document just referred to, for the year 1832, is to be accounted for, by the fact, that at that time no formal record was kept of the number of pupils at the College, in each separate quarter; and that it was, therefore difficult so to exhibit them. But since that time a quarterly list has been regularly preserved, from which the numbers after 1831 are now extracted.

3. Table shewing “the number of scholars sent from the country” to Upper Canada College, (*i.e.* of the Boarders;) of those belonging to this city, (*i.e.* Day Boys,) for the last three years.”

Years.	Day Boys.	Boarders.	Total.
In the year 1832.			
On March 20th.....	70	31	101
On June 10th	74	32	106
At August vacation	74	25	99
At Christmas vacation.....	68	39	107
In the year 1833.			
On March 20th	75	39	114
On June 3rd	76	41	117
At August vacation	79	42	121
At Christmas vacation.....	71	45	116
In the year 1834.			
On March 20th.....	76	38	114
On June 3rd	76	37	113
At August vacation.....	79	37	116
At Christmas vacation.....	83	32	115
In the year 1835.			
On March 20th	88	36	124

4. Answer to Question No. 8.—The course of Education at the College, and the names of the books used are given separately.

To the detached questions the following answers are given :

At Christmas, the vacation is from the Saturday preceding Christmas day to the Monday fortnight following.

At Whitsuntide, a week's vacation is given.

In the summer, vacation is given from the Friday on, or before the 13th of August, to the Thursday, six weeks following.

5. There are no children taught at Upper Canada College, without being liable to the payment of fees.

(NOTE.—These fees, not being payable in advance, were, in many cases never collected.)

6. No part of the Scholars are required to conform to, or be instructed in, the peculiar creeds, or religious exercises, of any Christian denomination.

UPPER CANADA COLLEGE,
TORONTO, 12th of March, 1835.

JOSEPH H. HARRIS,
Principal of Upper Canada College.

The course of Education at present pursued at Upper Canada College, is as follows :

1. *Preparatory School.*—Scholars in the Preparatory School are instructed in English Reading and Spelling, Writing, the elements of Arithmetic, and the first rudiments of Latin Grammar. They are removed into the first, or lowest of College form, when they are familiar with the Latin Accidence.

The following is the general arrangement of the daily work of the Preparatory School :

1st Division* Latin Accidence.	3rd Division Reading (twice a week.)
2nd Division English Reading and Spelling.	4th Division Writing and Arithmetic.

Besides the above, a class, composed of such boys in the College as are qualified, attend the Writing Master three times a week, for Book-Keeping—from 4 to 5 o'clock.

On Wednesdays and Saturdays, which are half holidays, the College closes at 12 o'clock, noon ; and at present these boys, whose parents desire it, have the opportunity of instruction in Landscape Drawing.

Memorandum.—Each of the six lower forms, it will be seen by the above detail, has a recapitulation day in classics, each week, *i.e.*, a day on which certain of the lessons which have been done during the previous days of the week, are gone over a second time.

2. It is so arranged that on every alternate recapitulation day, each form recapitulates to the Principal, who is thus enabled, from time to time, to judge of the general progress, and who has also an opportunity of becoming acquainted with the abilities and character of every boy in the College.

3. A public examination, embracing all the departments, takes place annually in the week preceding the Christmas Holidays ;—at the conclusion of which, prizes of books are distributed to those scholars, whose proficiency and good conduct during the past year have been most distinguished.

4. The regular course at the College is completed in the seven forms, according to the details now given. But to meet the views of those parents, who are not desirous of giving their sons a thorough classical education, pupils, who have been not less than two years pursuing the College course, or who have completed the course of the Third Form are allowed, at especial request of their friends, to discontinue classical studies† and confine their attention to other departments, a similar exception is occasionally made, in the case of a boy being, at admission, of too advanced an age, to make it advisable that he should begin the study of Latin. Such boys form, what is called, the “partial class.”†

NOTE.—The preceding sheets contain such information in reply to enquiries contained in an Address of the House of Assembly to His Excellency the Lieutenant-Governor, relating to Upper Canada College, as I have the means of furnishing, and which I beg leave respectfully to submit.

UPPER CANADA COLLEGE,
TORONTO, March 12th, 1835.

JOSEPH H. HARRIS
Principal of Upper Canada College.

March 21st, 1835.—On motion of Mr. Solicitor-General Hagerman, seconded by Mr. David Gibson, it was ordered, that the Petition of the Members of the Mechanics' Institute of the Town of Kingston, be referred to a Select Committee composed of Messieurs Hagerman, (Solicitor-General), John Strange and George Rykert, with leave to report thereon.

*The day is divided in the business of the College as follows :

1st Division, from a quarter before 9 o'clock to half past 10.
2nd Division, from 25 minutes past 10 o'clock to 10 minutes before 12, (noon).
3rd Division, from 12 to 1 o'clock. 4th Division, from 2 to 4 o'clock.

†For correspondence with Sir John Colborne, etc., in regard to the Classical Course of Upper Canada College, see pages 28-30 and 94 of this Volume.

Session of March 23rd, 1835.—His Honour the Speaker reported that Mr. Secretary Rowan had brought down from His Excellency the Lieutenant-Governor, the following Message:

J. COLBORNE :

The Lieutenant-Governor transmits for the favourable consideration of the House of Assembly, the accompanying Petition from the Committee of Management of the Kingston Mechanics' Institute. (See page 164 of this Volume.)

GOVERNMENT HOUSE,

TORONTO, 23rd March, 1835.

J. C.

On motion of Mr. Solicitor-General Hagerman, seconded by Mr. Archibald McLean, it was ordered that the Message of His Excellency the Lieutenant-Governor, on the subject of the Mechanics' Institute at Kingston, be referred to the Select Committee, to whom was referred the Petition addressed to this House on the same matter. The following is a copy of the Petition :

The Petition of the Committee of Management of the Kingston Mechanics' Institute humbly sheweth : That the Institution, which your Petitioners represent, is one which has been established by the Mechanics and some inhabitants of the Town of Kingston for the cultivation of Science, Literature, and the Arts, for the foundation of a Library, and the collection of a Museum of specimens of Natural History.

Your Petitioners would represent to Your Excellency, that the said Institution has been formed for nearly a year, and, during that time, it has prospered to a degree which those who interested themselves in its establishment could have scarcely expected, considering the difficulties which had necessarily to be encountered.

They have the satisfaction of stating, for the information of Your Excellency, that several hundred volumes of a Library have been already given to the Institution ; that a Reading Room, for the use of Members has been established ; and that a great number of Fossils, Minerals and other Natural curiosities have been collected.

Your Petitioners would beg leave to represent to Your Excellency that the prospects of the Institution are most encouraging, and that if the means at its disposal were commensurate with the wide field of exertion open to it, the most useful and gratifying results would ensue.

Your Petitioners, therefore, relying upon that attention to the subject of Education which has ever been manifested by Your Excellency, and confidently appealing to Your Excellency's sense of the great importance of improving the mental condition of the working classes, and thereby increasing the spirit of honourable enterprise, and exalting the moral character of the people, humbly beg that Your Excellency would recommend a grant of money to be faithfully applied to the legitimate objects of the Kingston Mechanics' Institute, and your Petitioners as in duty bound will ever pray.

JOHN MACAULAY,
President.

KINGSTON, 14th February, 1835.

The following additional Messages, sent down by His Excellency the Lieutenant-Governor, were read by the Speaker :

J. COLBORNE :

The Lieutenant-Governor transmits to the House of Assembly the accompanying Petitions from sundry inhabitants of the Township of Willoughby, in the District of Niagara.

The Lieutenant-Governor transmits to the House of Assembly, such reports of District (Grammar) and Common Schools, as have been received since last Session.

GOVERNMENT HOUSE,

TORONTO, 23rd March, 1835.

J. C.

March 25th, 1835.—Mr. James E. Small brought up the Petition of the Office Bearers of the Toronto Mechanics' Institute, which was laid on the Table.

Mr. John P. Roblin, from the Select Committee to which was referred the Petition of the Reverends William Lord and James Richardson, informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. The report was received and the Upper Canada Academy Bill was read the first time. It was ordered that the Bill be read a second time to-morrow.

(NOTE.—The House did not read this Bill a second time, and so it was dropped.* The Charter of Incorporation had, therefore, to be obtained in England. See Chapter xv. of this Volume.

*The Reverend Ephraim Evans, who succeeded the Reverend Egerton Ryerson as Editor of the *Christian Guardian* in 1835, writing to him after he had been appointed to go to England, to obtain aid for the Upper Canada Academy and a Royal Charter for that institution, said : "I entertain not the slightest hope of being able to procure such a Charter as we would be justifiable in accepting, or any support to the Institution from our own Legislature."—*Story of My Life*, page 154.

March 27th, 1835.—Pursuant to the Order of the Day, a Petition was read from the office bearers of the Toronto Mechanics' Institute, praying for a grant of two hundred pounds, (£200,) for the purchase of an Apparatus for the use of said Institute.

On motion of Mr. James E. Small, seconded by Mr. William B. Wells, it was ordered, That the Petition of the office bearers of the Toronto Mechanics' Institute be referred to the Committee of Supply.

His Honour the Speaker reported that the Master-in-Chancery had brought down from the Honourable the Legislative Council a Message, which was then read by him as follows :

MR. SPEAKER :

The Legislative Council have passed the accompanying Resolutions on the subject matter of the Bill intituled : "An Act for the disposal of the Clergy Reserves in this Province for the purposes of General Education," [sent up from the House of Assembly, on the 4th instant ; page 165] to which they request the concurrence of the Commons House of Assembly.

LEGISLATIVE COUNCIL CHAMBER,
26th day of March, 1835.

JOHN B. ROBINSON,
Speaker.

NOTE.—Of the six Resolutions sent down by the Legislative Council, the only one relating to the Bill sent up to the Council by the House of Assembly the others related to dispositions of the Reserves, etc. ; the fourth, was as follows

4. *Resolved*, That efforts have also been made to procure a total abolition of this provision for the support of Religion, by obtaining an Act of the Provincial Legislature, directing the sale of the Reserves, and the appropriation of the proceeds to purposes of General Education.

The adverse criticism of the Legislative Council on this proposition of the House of Assembly will be found on page 196 of this Volume.

A Message was received by the House from the Lieutenant-Governor as follows :

J. COLBORNE :

The Lieutenant-Governor transmits to the House of Assembly the accompanying Memoria from Mr. Burwell.

J. C.

GOVERNMENT HOUSE,
TORONTO, 23rd of March, 1835.

The following is the Memorial of Mr. Mahlon, ex-M.P.P. for the County of Middlesex, on the subject of Common Schools and Education generally. It does not draw a very flattering picture of the state of Education in Upper Canada. (See the reference to Mr. Burwell on page 160 of this Volume :)

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada, etc :

The Memorial of Mahlon Burwell, Esquire, most humbly sheweth :

That although your Memorialist is at present a private individual, he trusts that he may beg permission to draw Your Excellency's attention to the subject of Education, which, of all others, deserves the serious consideration of the Legislature. Having devoted much of his time, and a great deal of labour to this important matter, your Memorialist may be pardoned for urging Your Excellency to crown your prosperous administration of the Colony by exerting all your influence, with the Parliament now in session, to perfect such a system of Education for the Province as the improved state of society requires, and which is no less necessary for the happiness of families than for the stability of good Government.

This rapidly growing Colony, advancing as it is doing beyond any other country in population and commerce, and becoming the asylum of thousands of intelligent and respectable emigrants from the Fatherland, may be pronounced at this moment totally inadequate—for the little instruction given to the children under the name of Education has no influence over their morals, does nothing to open, or expand, their intellectual faculties, much less to direct them in their conduct through life—English reading is imperfectly taught ; something of writing, and the first five rules of arithmetic are also taught, which the Teachers we employ are seldom able to explain ; these make up the meagre sum total of what the rising generation learn at our Common Schools.

The Law passed in 1816, for the establishment of Common Schools throughout the Province, doubtless contains many useful provisions, and may be considered, in reference to the time of its enactment, honourable to the Legislature, more especially as it was sustained by a liberal appropriation; but unfortunately this liberality was of short continuance, and when nearly two-thirds (\$14,000) of the original appropriation was withdrawn [i.e. the grant was reduced from \$24,000 to \$10,000], the efficiency of the measure was entirely gone.

Several attempts have been made to amend this law, and to increase the assistance given from the Provincial Treasury to more than its original amount, but hitherto without effect.

In 1832, a Bill was reported to the Commons House of Assembly for this purpose, by the Select Committee of that year on Education, embracing all the benefits of the Scotch and New York State systems, and making such financial provisions as would ensure its efficiency. (Page 78 of this Volume.)

In preparing this measure, information was anxiously sought for from all quarters; those Gentlemen most conversant with the subject, living in the Province, were consulted; letters were addressed to others at a distance; the admirable systems adopted in Prussia and Bavaria for the instruction of youth were explored, so far as authentic information could be obtained.

From all these sources the House of Assembly Committee on Education selected and arranged, in the form of a proposed Law, what they considered most beneficial; and, after much research and deliberation, reported the same Bill with some small amendments, during the last session of the Legislature (1833, 34), for the adoption of the House of Assembly. (See page 148.)

That draft of a School Law was well calculated, as the Committee believed, to place the instruction of the youth of the Province on a substantial basis. It contained within itself the power of extension to the most distant settlements, as soon as they were formed.

The labours of the Committee have proved hitherto unavailing. No progress has yet been made towards passing the proposed draft of School Bill into a law.

The Bill is, however, ready at hand, to be taken up by any Member; and, although it is not presumed to be altogether perfect, or incapable of improvement, it may be truly said that more time and research and consideration have been spent in the preparation of that draft of School Bill than are commonly bestowed upon any measure that comes before the Legislature. It is earnestly hoped that this Session of the Legislature will not pass away without taking up the proposed Bill and passing it into a Law, with such alterations and modifications as, in the wisdom of the different branches of the Legislature, may seem meet. (See page 206 of this Volume.)

Your Excellency's Memorialist begs respectfully to state that the attention of the Select Committee of the House of Assembly was directed to the situation of the District Grammar Schools. These Schools had remained as they were when first established in 1807, without any material alteration, although the population of the Province had increased nearly sixfold, and its wealth more than twenty-fold.

The measure proposed by the Report of the Select Committee of the House of Assembly on Education, in reference to District and Grammar Schools, was accompanied by a draft of Bill, which had two great objects in view: (See page 97 of this Volume.)

First, The distributing among the District and Grammar Schools, in the way of endowment, and on equitable principles, portions of the land which had, at a very early period, been set apart for the support of such Seminaries, and which His Majesty George the Third had recently, with Royal munificence, placed at the disposal of our Colonial Legislature. Provision was also made for building proper School Houses of durable materials, and Residences for the Masters, on a regular and uniform plan; and authority was proposed to be granted to assist such enlarged Grammar Schools (other than those named District Grammar Schools) which might grow up in populous towns or neighbourhoods.

Second. The second object aimed at was to establish a proper vigilance and inspection over these Schools, so that these superior Schools might be efficient, and, in every respect, answer the intention of their institution, and so to connect them with the Common Schools as to make them part of one great system of Education, adopted to the whole Province, and containing in itself the power of embracing new Townships and Districts, as they become organized, and thus to furnish the higher degrees of instruction which the District and Grammar Schools were intended to supply.

Indeed, the scale on which these higher Seminaries were, by the measure, to be ultimately established—that of providing two Classical Masters—one a Mathematical Master, and the other a Teacher of Reading and Writing, and all the common branches of English instruction, would, when brought into full operation, have placed within the reach of the inhabitants of the Province an education for their children, which would leave little further to desire. (See page 100.)

From this brief review of the subject, it appears that the Select Committee of the House of Assembly on Education, appointed by the last House, had matured a system of Common School and of District and Grammar School Education, in all their branches, for the whole Province, and thus its labours have been great in accomplishing this object.

Suffer your Memorialist, therefore, to entreat Your Excellency to call the attention of the Legislature, during its present Session, to the consideration of these measures, so nearly advanced, as explained, to a state of maturity, and to the great necessity of passing them without delay, with such alterations and modifications as may to their wisdom appear expedient. And your Memorialist will ever pray.

MAHLON BURWELL.

PORT TALBOT, January 20th, 1835.

(NOTE.—This request Sir John Colborne complied with; see page 161 of this Volume.)

March 28th, 1835.—Mr. Archibald McLean, from the Select Committee to which was referred the Petition of the Reverend Angus McDonell and others, presented to the House on the 9th instant, and referred to a Select Committee on the 11th, informed the House that the Committee had agreed to report by Bill, providing that the Petitioners be granted corporate powers, by which they could hold certain lands and premises for the purposes specified; a draft of which Bill he was ready to submit, whenever the House would be pleased to receive the same. It was ordered that the Report be received. This Bill provided for investing in Trustees a certain piece of ground in the Town of Kingston, for the purpose of a Roman Catholic Seminary, [Regiopolis College], was read a first time. It was ordered that the Bill be read a second time on Monday next. (See pages 165 and 193 of this Volume.)

Agreeably to notice, Mr. Charles Duncombe, seconded by Mr. Thomas MacKay, moves that the House do now go into Committee of the Whole, upon the subject of Common Schools; to grant a sum in aid of the same. Which was carried, and the House was put into a Committee of the Whole on the subject, Mr. George Rykert in the chair.

The House having resumed, Mr. Rykert reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. The Report was received, and the Resolution adopted as follows:

Resolved, That there be granted to His Majesty the sum of five thousand six hundred and fifty pounds (£5,650) in aid of the present support of [i.e., grant to] Common Schools in this Province, for the years 1835 and 1836, to be distributed as for the two preceding years.

On motion of Mr. Charles Duncombe, seconded by Mr. Thomas MacKay, it was ordered that Messieurs Peter Perry and William B. Wells be a Committee to draft and report a Bill, in pursuance of the foregoing Resolution.

March 30th, 1835.—Pursuant to the Order of the Day, the Common School Regulation Bill, [i.e. Bill to promote Education] was read the second time. The House was put into a Committee of the Whole on the Bill. Mr. James E. Small in the chair.

DEBATE IN THE HOUSE OF ASSEMBLY ON THE COMMON SCHOOL BILL OF 1835.

The following is a report of the Debate in the House of Assembly on this Common School "Regulation" Bill of 1835, (made by Mr. Fowler on the 30th of March, 1835,) and copied from the then current number of the *Christian Guardian*.

The utterances of the members of the House of Assembly on this Bill are the more interesting, from the fact, that the Bill itself, having been passed by the House of Assembly but rejected by the Legislative Council, was, with other rejected Bills, made the occasion of a protracted contest with the Legislative Council, and of a strong remonstrance to the King against the practice of rejecting Bills from the House of Assembly, and the alleged cause of it, on broad constitutional grounds. (See pages 183, 185 and 204 of this Volume.)

I have greatly condensed the report as it appears in the *Christian Guardian*, and have only given the salient points in the remarks of the leading Members of the House of Assembly who held most enlightened views on the subject, and expressed them in this somewhat protracted debate on the School legislation of sixty years ago.

When in Committee on the Bill, Mr. John P. Roblin said that he was in favour of the general principles of the Bill, but did not approve of all its details. He thought that their principal attention should be paid to the support of Common Schools throughout the different

parts of the Province. He was opposed to the different provisions in the bill, whereby it would be made imperative on the Board of Education for each District to send those boys who might be found to be the most talented, to King's College, or to any particular Institution, but he would leave it discretionary with them to send them to any Seminary, which they might consider most proper. He (Mr. R.) was opposed to King's College altogether, under its present Charter; he thought, besides, that Upper Canada College was quite sufficient to answer all the necessities of the Province; if not, there are other Seminaries springing up in different parts of the country. The one in preparation at Cobourg, bids fair to be a useful Institution, and he (Mr. R.) would be in favour of allowing the District Board of Education, if they judge it right, to send the most promising and rising young men to that, or any other Institution, and not confine them to King's College, or to any other College in particular. . . .

He, (Mr. R.) was decidedly in favour of the measure, as far as it went, to allow the choice of the Superintendents to be made by the people, for he believed that the people living in the immediate neighborhoods, must naturally be better qualified to make the choice than His Excellency the Lieutenant-Governor could possibly be. . . .

Mr. Speaker Bidwell said that he thought that this was one of the most important subjects that could be brought under the consideration of the Legislature. . . . The question for our decision, in the first place, is as to whether the Bill, if passed into a law, would be an improvement upon the present system of Education. I think, (he said,) that it would be a decided improvement, although, perhaps, on examination, it may be susceptible of still further improvements. . . .

With regard to the selection of the beneficiaries to be educated at the expense of the public, I approve of it (he said); . . . if, by the arrangements of Providence they are placed in such a situation that they cannot receive such an education as they wish for, without being dependent on others. Some of the greatest luminaries of the age, and benefactors of the human race, have been, in the outset, dependent upon charitable Institutions for their education; they must, therefore, be contented to be indebted to the benevolence of others, or go without the advantages of an education, at that important period of life, when it was necessary to lay the foundation of their future usefulness. . . . This is a very important feature in the Bill; let those who have the ability contribute, so that those who have but scanty means may receive an education, in order that talent and genius may be brought out whenever they exist, and be serviceable to the Province. . . . In general, cities and towns are the resort of those who are most indigent. You will find, if you go through the narrow alleys and lanes of this City, that they are inhabited by poor and destitute people, without the ability, or apparent care, to give their children any education whatever, but leave them to grow up pests and nuisances to the City. Now, it appears to me, a wise maxim; "to prevent crime rather than punish it." Sooner than let them grow up in idleness and vice, the pupils of old proficients in crime, I would provide funds for their education.

Mr. William H. Merritt said: It was admitted by all that no subject should so much engage their attention as that of Education; and he was happy that the honourable Member had brought this measure forward. He agreed with the manner proposed, of appointing the Superintendents of Township Schools, and the Board of Education for the District; but did not properly understand the plan for sending children from the Counties of King's College. [Some member explained.] Well, that he objected to most decidedly; for he wanted to see Grammar Schools established in every District, and not have all children, whom their parents wished to get a liberal education sent to the City of Toronto to King's College; parents might not have the means of sending them here, besides not being willing to send them far from home, but would be glad of an opportunity of sending them to an Academy in their own District. It was a matter of regret that many pupils were sent out of the Province to be educated, for want of proper Institutions at home; and it will still more be regretted that hardly two persons can be found to agree upon a general plan for Education. . . .

He (Mr. Merritt) very much wished to see a Bill for Common Schools brought forward on a plain simple plan,—pointing out the manner of appointment, duties, responsibilities, etc., of all those having charge over them. The principle of the present Bill he approved of, but there seemed to him to be something wanting; it appeared to be defective—in this, that there was no connected plan, or if there was, he could not comprehend it.

Mr. Ogle R. Gowan said that there should be one system, in which all the parts would harmonize. We have Common Schools, District Schools, a preparatory College; and we had a University in contemplation. . . . The children of the farmer, in the country should have the means of entering the University as well as the sons of merchants in Towns; but they had not now the opportunity of obtaining a liberal education, to fit them for the Bar, the Medical, or any of the learned professions; and the consequence was, that those professions were confined to a certain class. It was originally intended that the number of poor children should be

educated at the District (Grammar) Schools; and, in the District of Johnstown, the Trustees, who were very respectable persons, were desirous of getting poor children to go to the School, but could not succeed.

Mr. William Morris said that the sole power of managing the School was now in the hands of the people, except the appointing of the Board of Education for the District. . . . He was very much afraid that the persons to be appointed at those rural meetings would not, in some Townships at least, be qualified to perform the duties required of them, in examining Masters, etc. In many Townships, the people had to struggle with difficulties, and they had not had an opportunity of getting an education such as would qualify them for those duties. . . . There were to be three Superintendents of Schools appointed in each Township, who were to choose one member of the Board of Education for the District. There were generally about fifteen Townships in a District; and, therefore, the Board would consist of that number of members; and they were to be allowed ten shillings a day for their attendance, to transact the usual business of the District Board of Education, and also at the examination of School Masters in each County, provided it did not exceed three days each time. . . . It was much more necessary to establish free Grammar Schools in each District, than to legislate respecting King's College, especially with its present extravagant endowment from Government. Out of the funds arising from the School Lands, most respectable Grammar Schools, something like Upper Canada College, might be supported in each District. . . .

He had always been in favour of proceeding in the manner originally contemplated by the Addresses of both Houses of the Legislature of His Majesty, in 1797, in compliance with which the School Reservation was made, first for the support of Free Grammar Schools in each District, and in process of time for a College and seminaries of a more comprehensive nature. . . .

It was said that these lands were in the hands of Trustees, and could not be touched. But he would like to know if that House would sanction the taking from the people of this Province, lands set apart for the support of Free Grammar Schools in each District, and giving them to an Institution which was not intended to be established till the Free Grammar Schools had been some time in operation. . . .

In respect to the answer received from the Colonial Secretary, to the Address of the House of Assembly on the School Lands, (Page 168) he said, that they never denied what was therein asserted, that it was originally intended to establish a University; but not before the Free District Grammar Schools were established; and he still thought it to be very unjust to take so much of the valuable lands for that object.

Mr. William L. Mackenzie, said that in February, 1830, Mr. William Buell, (late member for the County of Leeds), brought in a Bill to change the present School System, which was acknowledged, on all hands, not to answer a good purpose; but, unfortunately, the House of Assembly rejected the Bill.* In 1831, Mr. Buell brought it forward again, with some slight variations, but with no better success. . . . (Pages 56 and 148 of this Volume). He liked the present Bill generally; and he was glad that the honourable gentleman had brought it forward; and he hoped the Committee would pause before they came to the conclusion to reject the preamble. Let it be adopted; and then the words respecting King's College in the Bill could very easily be expunged afterwards. It was objected to in the Bill, that the persons chosen at Town meetings would not be qualified to fill the office. But the people were beginning to choose better and better trustees every year; and the more power that was put into their hands, with regard to this matter, the more would they try to get proper persons, having the requisite abilities, to perform the duties assigned to them. Under these considerations, he would like to see a popular District Board of Education established: independent householders in every Township, who would feel an interest in the education of the rising generation. Nothing was so important, or of so great consequence, as Education—silver and gold might pass away, and the person who was rich to day might be poor to-morrow; but a good education would continue with a person under all circumstances through life. . . . There was one feature in the Bill which he very much liked: that was, the plan of sending some of the most promising boys in every District to a higher School, no matter by what name it was called, which he thought would be most beneficial to the country. . . . This was a well constructed Bill; (hear, hear,) it held out advantages to Teachers, and inducements to them to acquire a thorough knowledge of their profession, by awarding them prizes. He was convinced that such a measure was wanted in the country; and why then should any one oppose it?

Mr. Speaker Bidwell said, that the Bill was calculated to bring Education home to the people. It was for the purpose of increasing the encouragement and the support given to Common Schools. He thought it to be very important that aid should be given to them. If you wish to have better subjects of the Government, and better members of civil society, you must lay the foundation of both in Common School Education; and this Bill was to effect that object. It was

* See pages 297, 293 of the First Volume of this Documentary History.

plain and simple in its plan and details, and easy to be understood. In the first place, it proposes to raise a fund, so as to afford proper encouragement to Common Schools; and secondly, to give the Board of Education in each District the power of selecting eight scholars from each County to be educated in the District (Grammar) School at the public expense By this plan, all the benefits of Education would be brought to the doors of the common people. It was also intended to give persons of genius, who had pursued their studies for some time at the District (Grammar) Schools, the opportunity of obtaining a superior education, by removing them to a higher seminary The plan of selecting scholars to send to higher seminaries would also have a good effect, by creating competition among the Masters of these Schools. . . . With regard to the School Lands, he would say nothing at present, as there was an Order of the House for going into Committee upon that subject. He would then freely, though he hoped most respectfully, express his sentiments with regard to the manner in which the people had been treated; in the first instance by keeping it so long secret, (until it was discovered by mere accident,) that such a reservation had been made, in 1797, and then taking the most valuable part of them for the extravagant endowment of King's College It had been well observed by the honourable member for the Second Riding of York (Mr. Mackenzie), that if this power was put into the hands of the people, they would be emulous to use it properly. They would not have to get up a Petition to some great man, respecting the education of their children, but would have the power of seeing after their own interest in this matter.

The House having resumed, Mr. Small reported that the Committee had gone through the Bill, amended the same, and submitted it for the adoption of the House. The Report was received and it was ordered that the Bill be engrossed and read a third time to-morrow.

March 31st, 1835.—Pursuant to the Order of the Day, the Bill for the Regulation and Promotion of Education, by means of Common Schools, was read the third time.

Mr. Alexander Chisholm, seconded by Mr. James Durand, moves that the following be added as a rider to the Bill, and it was read a first and second time:

And be it further enacted by the authority aforesaid, That this Act shall not go into operation until the first day of January, which will be in the year of our Lord one thousand eight hundred and thirty-six.

Pursuant to the Order of the Day, the rider to the Common School Bill was read the third time. On the question for passing the Bill, the House divided, and the yeas and nays, being taken, were as follows: Yeas, 33; Nays, 3. (Attorney-General R. S. Jameson and Messieurs Allan N. Macnab and George Rykert.) The question was carried in the affirmative by a majority of thirty, and the Bill was passed, and signed by the Speaker.

Mr. Alexander Chisholm, seconded by Mr. James Durand, moves that the Bill be intitled: "An Act to Promote Education," which was carried, and Messieurs Alexander Chisholm and James Durand were ordered by the Speaker to carry the Bill up to the Honourable and Legislative Council, and to request their concurrence thereto. (See page 196 of this Volume.)

Agreeably to notice, Mr. Solicitor-General Hagerman, seconded by Mr. Archibald McLean, moves for leave to bring in a Bill for the Sale and Management of Lands, or other Property, granted or given for the advancement of Education within the Province; which was granted, and the Bill read a first time. It was ordered that this Bill for the sale and disposal of the School Lands, etc., as therein provided, be read a second time to-morrow.

April 1st 1835.—Mr. Peter Perry, from the Select Committee appointed to draft and report a Bill, in conformity with a Resolution of the House, authorizing a grant of five thousand six hundred and fifty pounds (£5,650) for the purpose of Common Schools, reported the draft of a Bill with this object, which was received and read a first time. It was ordered that the said Bill be read a second time to-morrow. (See page 201 of this Volume.)

Pursuant to the Order of the Day, the House was put into a Committee of the Whole on His Excellency's Message relating to the School Lands. Mr. John Brown in the chair.

The House having resumed, Mr. Brown reported, that the Committee had made some progress and asked leave to sit again to-morrow. The Report was received, and leave granted accordingly.

Pursuant to the Order of the Day, the Bill to amend the Charter of King's College was read the second time. The House was put into Committee of the Whole on the Bill. Mr. William B. Wells in the chair.

The House having resumed, Mr. Wells reported, that the Committee had gone through the provisions of the Bill, made some amendments to the same, and submitted it for the adoption of the House.

On the question for receiving the Report, the House divided, and the yeas and nays, being taken, were as follows: Yeas, 34; Nays, 2. (Solicitor-General Hagerman and Mr. Ogle R. Gowan.)

The question was decided in the affirmative by a majority of thirty-two, and the Report was received. On the question for the third reading of the Bill to-morrow, Mr. Solicitor-General Hagerman, seconded by Mr. Archibald McLean, moves in amendment: "That the Bill be read a third time on Friday next." On which the yeas and nays being taken, were as follows: Yeas, 10; Nays, 29. The question of amendment was thus decided in the negative by a majority of nineteen, and the Bill was ordered to be engrossed and read a third time to-morrow.

April 2nd, 1835.—Pursuant to the Order of the Day, the King's College Charter Bill was read the third time. The question for passing was put. On motion of Mr. William Morris, in amendment, seconded by Mr. Edward Malloch, it was ordered that the twenty-seventh clause be amended by adding thereto the following words: "within the said College." And the words being added accordingly, (see page 212) Mr. Ogle R. Gowan, seconded by Mr. Charles Richardson, moves that the following rider be added to the Bill:

Provided always, and it is hereby enacted, That nothing herein contained shall authorize or be construed to authorize the appointment of any person, or persons, to the office of Professor, or Professors, Tutor or Tutors, or Lecturer or Lecturers, within the said College or University, who shall not be a moral, well conducted Christian, professing a steadfast belief in the Holy Trinity, as held by the United Church of Great Britain and Ireland.

On which the yeas and nays being taken, were as follows: Yeas 4 (Messieurs Francis Caldwell, Ogle R. Gowan, Charles Richardson and William B. Robinson); Nays, 33.

On the question for the passing of the Bill, the yeas and nays were taken, as follows: Yeas, 33; Nays, 5 (Messieurs Gowan, Macnab, Richardson, Robinson and Wilkinson), and thus the question was carried in the affirmative by a majority of twenty-eight, and the Bill was passed and signed by the Speaker.

Mr. Alexander Chisholm, by Mr. James Durand, moves that the Bill be intituled: "An Act to amend the Charter of King's College;" which was carried, and Messieurs Chisholm and Durand were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto. (See page 196 of this Volume.)

April 4th, 1835—Pursuant to the Order of the Day, the Petition, which was laid before the House on the 2nd instant, was read: Of Mr. Patrick Gallagher, Teacher, praying that a portion of the School appropriation may be granted to him as Teacher of a Common School in the City of Toronto.

(This Petition was, on the 6th instant, referred to a Committee, but nothing came of it.)

April 7th, 1835.—Pursuant to the Order of the Day, the Common School extra appropriation bill of five thousand six hundred and fifty pounds, (£5,650,) was read a second time. The House was put into Committee of the Whole on the Bill. Mr. David Gibson in the chair.

The House having resumed, Mr. Gibson reported that the Committee had gone through the Bill, made some amendments to the same, and submitted it for the adoption of the House. The Report was received; and it was ordered that the Bill be engrossed and read a third time to-morrow.

April 8th, 1835.—Pursuant to the Order of the Day, the Bill appropriating a sum of money for Common Schools was read a third time and passed.

Mr. Charles Duncombe, seconded by Mr. David Duncombe, moves that the Bill be intituled: "An Act to provide additional aid in support of Common Schools in the several Districts in this Province." Which was carried, and Messieurs Charles Duncombe and David Duncombe were ordered by the Speaker to carry the Bill up to the Honourable the Legislative Council and to request their concurrence thereto. (See page 201 of this Volume.)

April 10th, 1835.—The fifth Resolution of the series reported by the Committee of Supply, and relating to the Grantham and Bath Academies was as follows:

5. *Resolved*, That the sum of one hundred pounds, (£100,) for five years, be granted to the Grantham Academy from the public funds of this Province, to make more ample provision for the support of competent Teachers thereof than can be obtained in the infant state of the Institution, from fees paid by students and other ordinary resources, and the like sum for the Bath Academy in the Midland District. The vote having been taken, the yeas and nays were as follows: Yeas 37; Nays 7. The question was, therefore, carried in the affirmative by a majority of 30.

The sixth resolution, relating to the Toronto Mechanics' Institute, was then put as follows:

6. *Resolved*, That the sum of two hundred pounds, (£200,) be granted to His Majesty for the purpose of enabling the Mechanics' Institute of the City of Toronto to purchase Apparatus for the use of the said Society, on which the yeas and nays, being taken, were as follows: Yeas, 36; Nays 10. The question was, therefore, carried in the affirmative by a majority of 26.

The ninth resolution, providing for the expenses of Commissioners to enquire into systems of Education, was then read as follows :

9. *Resolved*, That there be granted to His Majesty the sum of one hundred and fifty pounds, (£150,) to pay the expense that three Commissioners may be put to, in obtaining information respecting the system and management of Schools and Colleges . . . and to report to this House the result of their labour and investigation at its next Session ; and that Doctors Charles Duncombe, Thomas D. Morrison and William Bruce, be Commissioners for the said purpose.

In amendment Mr. William Morris, seconded by Mr. William B. Robinson, moves that the whole of the original Resolution, after the word "*Resolved*," be expunged, and the following be inserted instead thereof :

That it is expedient to appoint Doctors Christopher Widmer, John Rolph and Charles Duncombe, Commissioners, to enquire, during the recess, and report to this House at the next Session, the most approved system for the care and recovery of persons who are lunatics ; and also to report as to the best method of communicating instruction to children who are deaf and dumb.

That the Reverend Alexander Gale, Doctor John Rolph and the Reverend Doctor Harris, be Commissioners to report to this House, at the next Session, a suitable code of Rules and Regulations for the establishment and good government of Common Schools, District Grammar Schools and Colleges within this Province, so that the Legislature may be possessed of the most extensive information, and be enabled to legislate effectually thereon.

On which the yeas and nays being taken, were as follows : Yeas 12 ; Nays 28. The question of amendment was, therefore, decided in the negative by a majority of 16.

On the original question, amended and enlarged, the yeas and nays being taken, were as follows : Yeas 25 ; Nays 15. The question was, therefore, carried in the affirmative by a majority of 10 votes, and it was

9. *Resolved*, That there be granted to His Majesty the sum of one hundred and fifty pounds, (£150,) to pay the expenses that three Commissioners may be put to in obtaining the best plans and estimates . . . of a lunatic asylum, and such information as they may consider necessary relative to the management and good government of such Institutions ; and also respecting the system and management of Schools and Colleges and such other public matters as are connected with the interest, welfare and prosperity of this Province ; and to report to this House the result of their labour and investigation at its next Session, and that Doctors Charles Duncombe, Thomas David Morrison and William Bruce, be Commissioners for the said purpose.

On motion of Mr. Peter Perry, seconded by Mr. William Bruce, it was ordered, that Messieurs John P. Roblin and Peter Shaver be a Committee to draft and report Bills, pursuant to the foregoing Resolutions.

April 11th, 1835.—Mr. John P. Roblin, from the Committee appointed to draft and report a Bill, in conformity with the resolution of this House, granting two hundred pounds, (£200,) for the purchase of Apparatus for the Mechanics' Institute in the City of Toronto, reported a draft of Bill, which was received and read a first time.

Mr. Peter Shaver, seconded by Mr. John Cook, moved that the Bill be read a second time this day, and that the 40th Rule of this House be dispensed with, so far as relates to the same ; which was carried, and the Bill was read a second time. The House was put into Committee of the Whole on the Bill, Mr. Donald A. McDonell in the chair.

The House having resumed, Mr. McDonell reported, that the Committee had agreed to the Bill without amendment, and submitted the same for the adoption of the House. The Report was received, and it was ordered that the Bill be engrossed and read a third time this day.

Mr. John P. Roblin, from the Committee to draft and report a Bill in conformity to the resolution of this House, granting aid to the Academies of Grantham and Bath, reported a draft of a Bill. The Report was received and the Bill read a first time.

Mr. Peter Perry, seconded by Mr. John P. Roblin, moves that the Bill be read a second time this day ; and that the 40th rule of this House be dispensed with, so far as relates to the same, which was carried, and the Bill was read a second time. The House was put into a Committee of the Whole on the Bill, Mr. James Durand in the chair.

The House having resumed, Mr. Durand reported that the Committee had agreed to the Bill, without amendment, and submitted the same for adoption of the House. The Report was received, and it was ordered that the Bill be engrossed and read a third time this day.

Pursuant to the order of the day the Bath and Grantham Academies Aid Bill was read a third time and passed, and was signed by the Speaker.

Mr. Rykert, seconded by Mr. Perry, moves that the Bill be intituled: "An Act to make a Grant to the Grantham and Bath Academies," which was carried, and Messieurs Rykert and Perry were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

April 13th, 1835.—Pursuant to the Order of the Day, the Bill granting a sum of money in aid of the Mechanics' Institute in the City of Toronto, was read a third time and passed.

Mr. James E. Small, seconded by Mr. Jacob Rymal, moves that the Bill be intituled: "An Act for the Promotion of Science, by enabling the Mechanics' Institute of the City of Toronto, to procure certain Apparatus," which was carried, and Messieurs James E. Small and Jacob Rymal were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

April 14th, 1835.—On motion of Mr. Peter Perry, seconded by Mr. Thomas D. Morrison, it was ordered that a Select Committee be appointed to search the Journals of the Honourable the Legislative Council, and to report to this House what proceedings have been had by that Body on the following (Educational) Bills sent up from this House, videlicet:

1. "An Act for the disposal of the Clergy Reserves in this Province for the purpose of General Education."
2. "An Act to promote Education."
3. "An Act to amend the Charter of King's College."
4. "An Act to make a Grant to the Grantham and Bath Academies," and report the same to this House; and that Messieurs Charles Duncombe and John P. Roblin do form said Committee. (See Report of this Committee on page 185 of this Volume)

Mr. William L. Mackenzie, seconded by Mr. Henry W. Yager, moves that the Clerk be directed to prepare at the close of the present session, lists of the titles of all Bills which, having originated in this House during the last, or present, sessions of the Legislature, were rejected, or declined to be acted upon by the Legislative Council; or, having been sent up, were altered by the Legislative Council, etc. . . . and that such lists of titles be annexed to, and printed with the last Report of the Committee on Grievances . . . as also . . . the Bill to amend King's College Charter, with the votes; and the General Education Bill from the Select Committee on Education, with the votes. Carried, after two amendments, by a vote of 29 yeas to 13 nays.

(NOTE.—This list is inserted on pages 258-277 of the Report on Grievances.)

Pursuant to the Order of the Day, the following Petition which was laid before the House on the 10th instant, was read: Of William Rees, M.D., praying for the establishment of a Scientific Institution in this Province. (NOTE.—Nothing was done in the matter by the House.)

The House being in Committee of the Whole on Supply, the following Resolution was put and carried, videlicet:

Resolved, "That there be granted to His Majesty the sum of £100 for the purpose of enabling the Officers of the Mechanics' Institution of Kingston to provide Mathematical Instruments and Books for the use of that Society." Ordered that Messieurs Robinson and Rykert be a Committee to draft and report a Bill, in pursuance of the foregoing Resolution.

The Master in Chancery brought down from the Honourable the Legislative Council the following Message, and having retired, it was read by the Speaker as follows:

MR. SPEAKER:

The Legislative Council has passed the Bill sent up from the Commons House of Assembly, intituled "An Act to provide additional aid in support of Common Schools in the several Districts in this Province," without amendment.

JOHN B. ROBINSON,
Speaker.

LEGISLATIVE COUNCIL CHAMBER,
14th day of April, 1835.

April 15th, 1835.—Mr. William B. Robinson, from the Select Committee appointed to draft and report Bill, reported a Bill, granting one hundred pounds, (£100.) in aid of the Kingston Mechanics' Institute, which was read a first time.

Mr. William B. Robinson, seconded by Mr. Edward Malloch, moves that the Bill be read a second time this day, and that the 40th Rule of this House be dispensed with for that purpose, which was carried, and the Bill was read a second time. The House was put into a Committee of the Whole on the Bill. Mr. Donald Æ. McDonell was called to the chair.

The House having resumed, Mr. McDonell reported that the Committee had agreed to the Bill without amendment. The Report was received and it was ordered that the Bill be engrossed and read a third time this day, and was signed by the Speaker.

Pursuant to the Order of the Day, the Bill granting a sum of money to aid the Kingston Mechanics' Institute was read a third time and passed, and was signed by the Speaker.

Mr. William B. Robinson, seconded by Solicitor-General Hagerman, moves that the Bill be intitled : "An Act granting a sum of money to the Kingston Mechanics' Institute," which was carried, and Messieurs Robinson and Hagerman, (Solicitor-General,) were ordered by the Speaker to carry the same up to the Honourable the Legislative Council and to request their concurrence thereto.

REORGANIZATION OF THE LEGISLATIVE COUNCIL ; AND MOTION ON "RESPONSIBLE GOVERNMENT."

On the 7th March, 1835, Mr. Peter Perry gave notice that he would—

Move an Address to the King, praying that steps may be taken to remove from seats in the Legislative Council, all Bishops, Priests, Clergymen and Ministers of the Gospel, as also Judges of the Court of King's Bench ; and that such a system may be adopted for the future appointment of Members of that Body, as will constitute and render the said Council what was contemplated by [sections three to twelve, inclusive] of the Constitutional Act of this Province, videlicet, 31st of George the Third, chapter 31, 1791.

Mr. Perry also gave notice at the same time of a motion, which practically embodied the principle of "Responsible Government." This seems to have been the first specific practical movement in the Legislature for the adoption of this principle. Mr. Perry's motion was for an Address to the King, and the educational reasons for this motion are embodied in this Address to the King, (see below)—

Praying for the introduction of the same principle in this Province relative to the Advisers of the Government, and the tenure on which the said Advisers shall hold their office, and the administration of the Government, and is established and acted upon in the Parent State.

When this notice of motion came up for action thereon, in the House of Assembly, on the 17th of March, 1835, on motion of Mr. Peter Perry, seconded by Mr. Peter Shaver, it was ordered —

That a Select Committee be appointed to whom both of these matters [the Constitution of the Executive and Legislative Councils,] shall be referred, with power to send for persons and papers, and with leave to report thereon, and that Messieurs Peter Perry, Thomas D. Morrison, John P. Roblin, William B. Wells, and Alexander Chisholm, do compose said Committee, and that the 31st Rule of this House be dispensed with, so far as relates to this motion.

On the 15th April, 1835, an Address to the King was drafted by this Special Committee and proposed to be adopted by the House of Assembly. It was so adopted, by a vote of 26 yeas to 15 nays.

That part of the Address relating to Education is as follows :

MOST GRACIOUS SOVEREIGN :

We, Your Majesty's most dutiful and loyal subjects, the Commons House of Assembly of Upper Canada, in Provincial Parliament assembled, humbly represent that . . .

It is with no ordinary . . . regret . . . that we find that . . . most of the measures [passed by this House have been rejected] by the Legislative Council. Among such as have shared this fate are : Bills . . . to improve the system of our Common and District (Grammar) Schools, and to increase the public funds for their support ; to amend the Charter of King's College, in conformity with Your Majesty's gracious recommendations, and with the wishes, which have at different times been strongly expressed to Your Majesty by your faithful subjects in this Province, so as to put that Institution into operation on just and liberal principles ; to grant one hundred pounds* (£100) per annum for five years to the Grantham and Bath Academies (Institutions of Education established by the voluntary contributions of the people, and on liberal principles) . . .

We behold Your Majesty, in the administration of the affairs of the great empire . . . consulting the wishes of your faithful people, as expressed by their Representatives in the choice of responsible Advisers to manage, under Your Majesty, the affairs of the Government ; and we

* By direction of the House, copies of these Bills, with the votes thereon, were sent by the Lieutenant-Governor with this Address to the King.

have been accustomed to regard it as an essential and invaluable feature of the glorious Constitution of our Mother Country. The same principle we wish to see applied to the practice of our Colonial Government ; until that is done, we cannot expect that the administration will give satisfaction to Your Majesty's subjects, or that there will be any real harmony between the Government and the Representatives of the people.

MARSHALL S. BIDWELL,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
TORONTO, 15th April, 1835.

NOTE.—On the same day the Lieutenant-Governor was requested to transmit the foregoing Address to the King which he did. In response, the Colonial Secretary, (Lord Glenelg), on the 5th December, 1835, communicated the substance of this Address to Sir Francis Bond Head, on his appointment as Lieutenant-Governor, in succession to Sir John Colborne. Sir F. B. Head sent the whole Despatch in a Message to the Legislative Council on the 30th of January, 1836. The Council appointed a Select Committee to prepare an answer to the Address in vindication of its proceedings, in rejecting certain measures sent up for its concurrence by the House of Assembly. The answer is an elaborate one ; and that part of it relating to the rejection of Bills dealing with Education will be given in connection with record of the educational proceedings of the Legislative Council for 1836.

April 16th 1835.—The Speaker reported that the Master-in-Chancery had brought down from the Honourable the Legislative Council, a Message, which was read by him, as follows :

MR. SPEAKER :

The Legislative Council has passed the Bill sent up from the Commons House of Assembly, intituled : "An Act for the promotion of Science by enabling the Mechanics' Institute of the City of Toronto, to procure certain Apparatus.

JOHN B. ROBINSON,
Speaker.

LEGISLATIVE COUNCIL CHAMBER,
15th day of April, 1835.

April 16th, 1835.—The Master-in-Chancery brought down from the Honourable the Legislative Council, the following Message, which was read by the Speaker, as follows :

MR. SPEAKER :

The Legislative Council has passed the Bill sent up from the Commons House of Assembly, intituled : "An Act granting a sum of money to the Kingston Mechanics' Institute," without amendment.

JOHN B. ROBINSON,
Speaker.

LEGISLATIVE COUNCIL CHAMBER,
16th day of April, 1835.

Mr. John P. Roblin, from the Select Committee appointed to search the Journals of the Honourable the Legislative Council, and to report to this House what proceedings had been taken by that Honourable House, on certain Bills passed by this House and sent up to the Honourable the Legislative Council for concurrence, presented a Report which was received and read as follows :

Report of the Select Committee, appointed on the 14th instant, (page 183,) to search the Journals of the Honourable the Legislative Council, on the progress made on sundry Bills, transmitted by the Assembly for the concurrence of that Honourable House.

To the Honourable the Commons House of Assembly :

The Select Committee, appointed by your Honourable House, to search the Journals of the Honourable the Legislative Council, and report what proceedings have been had by that body on certain Bills sent up from this House, beg leave to report as follows :

I. *An Act for the disposal of the Clergy Reserves in this Province, for the purposes of General Education.**

Passed by the House of Assembly on the 4th March, 1835.

The Committee find that on :

Monday, 9th March, 1835.—This Clergy Reserve Bill, having been sent up to the Legislative Council on the 4th of March, 1835, it was read a first time on this day ; second reading on the following Monday,--a call of the House made and the Bill ordered to be printed.

Monday, 16th March, 1835.—The Bill was read a second time and referred to a Select Committee, composed of the Honourable Messieurs Thomas Clark, the Archdeacon of York, George H. Markland, John Elmsley and James Crooks, with power to send for persons and papers.

Friday, 20th March, 1835.—The Select Committee on this Bill made a first Report, and the Bill, together with the Report thereon, was referred to a Committee of the Whole House on the following Thursday.

Thursday, 26th March, 1835.—The House went into Committee of the Whole on the Bill and made a Report. It reported certain Resolutions, which were adopted ; six of which Resolutions were sent to the Commons House of Assembly.

Saturday, April 4th, 1835.—The Select Committee to whom the Bill was referred, presented a further Report, which was received and read. The Report was referred to a Committee of the Whole House on Wednesday next, and the Report ordered to be printed.

Wednesday, 8th April, 1835.—The Order of the Day was discharged for to-morrow.

Thursday, 9th April, 1835.—The House went into Committee of the Whole on the Report, and recommended its adoption, which was ordered. The Bill was referred back to the Select Committee, with instructions to frame an Address to the King on the subject.

Saturday, 11th April, 1835.—The Select Committee reported a draft of an Address to the King, which was read, and the House was ordered to be put into a Committee of the Whole upon it. The Address was adopted, and ordered to be engrossed and read a third time on the Monday following.

Monday, 13th April, 1835.—The Address to the King read a third time and passed. The House waited on the Lieutenant-Governor with the same on the 14th, to which His Excellency replied. (See pages 197-200 of this Volume.)

II. *"An Act to Promote Education."*†

Passed by the House of Assembly, on the 31st March, 1835.

The Committee find that on :

Tuesday, 31st March, 1835.—This Bill to promote Education, was sent up to the Legislative Council on the 31st of March, 1835, and was read a first and second time on that day. On the 1st of April it was ordered to be printed, and on the 6th of April the House went into Committee of the Whole on it and reported. The Bill was then referred to a Select Committee, who reported on the 9th April. The Bill and Report was then referred to a Committee of the Whole House on the 11th April which reported progress and asked leave to sit again on the 13th, which it did, but rose without reporting, (and thus the Bill was dropped. See pages 196-200 of this Volume.)

III. *"An Act to amend the Charter of King's College."*‡

Passed by the House of Assembly on the 2nd April, 1835.

The Committee find that—

This Bill was sent up to the Legislative Council on the 2nd of April, 1835, and was then read a first time ; second reading was on the 6th of April. It was committed on the 7th, but the Committee rose without reporting. (The Bill was, therefore, dropped. See pages 196, 7)

IV. *"An Act to make a Grant to the Grantham and Bath Academies."*

Passed by the House of Assembly on the 11th April, 1835.

The Committee find that—

This Bill was sent up to the Legislative Council on the 11th of April, 1835, and was read a first time on April 13th. It was committed on the 14th, but the Committee rose without reporting, (and thus the Bill was dropped). All which is respectfully submitted. (See page 200.)

COMMITTEE ROOM, HOUSE OF ASSEMBLY,
15th April, 1835.

JOHN P. ROBLIN, Chairman.

*The proceedings of both Houses in regard to this Bill, will be found on pages 165 and 196 of this Volume.

†A copy of this Bill, as passed the House of Assembly, will be found immediately after the Bills assented to by the Lieutenant-Governor, on page 206.

‡A copy of this Bill, as passed the House of Assembly, will be found on page 209 of this Volume.

CHAPTER X.

MR. WILLIAM L. MACKENZIE'S GRIEVANCE REPORT OF 1835.

The Provincial Elections of 1834 resulted in the return of a majority of Members who were opposed to the proceedings of the Government of the day, and in favour of a more liberal administration of affairs. The chief leader of this majority, the Honourable Marshall Spring Bidwell, was elected Speaker, and his warm friend and colleague, Mr. Peter Perry, had to take his place as leader and representative, in dealing with the proceedings of the House.

Taking advantage of this preponderance in favour of views so constantly, and with more or less acerbity, advocated by Mr. William Lyon Mackenzie in the House, he proposed, at an early day during the Session of 1835, to have, by vote of that House, the proceedings relating to his twice repeated expulsion, erased from the Journals of the House. This motion was carried by a vote of 33 to 9, or, by a majority of 24.

After having been thus vindicated by the House of Assembly, in regard to the statements and acts, for which he had been twice expelled by the previous House of Assembly, Mr. Mackenzie next proceeded, very naturally, to take steps to vindicate himself. He, therefore, proposed that a Special Committee be appointed by the House, before which he could prefer his charges; and, by the evidence of the parties concerned, and from other sources, seek to substantiate these charges. He also proposed that there be laid before that Committee the Message of the Lieutenant-Governor of the 19th of January, 1833, transmitting the Despatch of Lord Goderich, Colonial Minister, dated the 8th day of November, 1832, on the subject of the "grievances" laid before that Minister in that year by Mr. Mackenzie himself.* The Committee selected was composed of Messieurs Charles Duncombe, Thomas D. Morrison, Charles Waters, and David Gibson, each of whom was known to have more or less general sympathy with the views of Mr. Mackenzie.

The seven Reports on Grievances, when laid before the House of Assembly were, taken together, very voluminous, and embraced a great variety of topics. Those only relating to educational affairs can be included in this Volume. They

* The educational portions of this Despatch, and the proceedings of the House of Assembly, and of the Legislative Council thereon, will be found on Pages 112, 113, and 116, 117 of this Volume. Other papers were also laid before the Committee, as well as the information obtained from the Lieutenant-Governor by Addresses at various times from the House of Assembly.

had to do chiefly with King's College, the Upper Canada College, Common School Legislation, and some minor matters. From the seventh and final Report on Grievances, I take the following extracts relating to

KING'S COLLEGE AND UPPER CANADA COLLEGE.

The former Institution is not yet in operation, although much required for the instruction of the youth of the Province in those branches of Education not usually taught in Common Schools. The latter Institution is upheld at great public expense, with high salaries to its principal Masters; but the Province, in general, derives very little advantage from it. It might be dispensed with.

Viscount Goderich had His Majesty's commands to express the Royal desire that the opinion of the people of the Colony might be consulted with respect to the Constitution of King's College. A Bill has, accordingly, been sent to the Legislative Council, sanctioned by a large majority of the House of Assembly; but there is not much reason to expect that the Council will coincide in opinion with the representative branch of the Legislature on this important question. . . .

The Despatch from Lord Viscount Goderich to Sir John Colborne, dated November 8th, 1832, and specially referred to your Committee . . . recommends : . . .

2. The alteration of the Charter of King's College in such a manner as shall agree with the wishes of the people—(acted on this year by the House of Assembly) . . .

8. The strong recommendation of His Majesty for a universal diffusion of Education, especially among the poorest and most destitute; (acted on this year by the House of Assembly. . . . *

14. Among other subjects of complaint embraced in the Petitions referred to your Committee was the neglect of general Education. . . .

The dependance of the Legislative Council [on the Executive Government is strikingly manifested by the facts stated in the evidence of the Honourable Colonel John Clark, and the Honourable William Dickson, members of that Body, before a Select Committee of the House of Assembly in 1828, on the Assessment Laws]. . . . It appears that several Legislative Councillors had objected in a measure, strongly urged by the Executive, and its failure was inevitable. To ensure its passing, coercive measures were adopted. . . .

The late Hon. Chief Justice Powell . . . [was] obliged to have a protest he had entered on the Journals [of the Legislative Council] erased, and the erasure can be seen.

The protest of Chief Justice Powell was against a School Bill, passed the House of Assembly, then uninformed of its bearing, under the ambiguous phraseology of which it was intended to give the Reverend Doctor Strachan three hundred pounds (£300) a year.

The Bill passed, and Doctor Strachan, for many years, received this sinecure salary; 'till it was done away with on the Address of the House of Assembly.†

APPENDIX TO THE SEVENTH REPORT ON GRIEVANCES.

APPENDIX NUMBER I. MINUTES OF EVIDENCE RELATING TO EDUCATION, TAKEN BEFORE THE SELECT COMMITTEE ON GRIEVANCES.

1. *Evidence of the Honourable and Venerable Archdeacon John Strachan, D.D., President of King's College, and a Member of the Executive and Legislative Councils, taken on the 1st of April, 1835.*

Question No. 515.—What offices and places of emolument and trust do you hold under the British and Colonial Governments?

Answer.—President of King's College; with no salary until the University shall go into operation. Also Archdeacon of York, and Senior Member of the Executive Council.

* The extracts from this Despatch will be found on pages 112 and 113 of this Volume. The Acts to amend the Charter of King's College and to provide for the diffusion of Education in Upper Canada, passed by the House of Assembly during the Session of 1835, and rejected by the Legislative Council will be found on pages 206 and 209 of this Volume.

† In number 14 of the Documents appended to the Report on Grievances, it is stated that the salary paid to the Reverend Doctor Strachan, as President of the General Board of Education from the 1st of January, 1826 to 1st of July, 1833, was £2,250, (\$9,000).

Question No. 516.—What sum is annually expended from public sources for Education in this city, (Toronto)? (2) And how many children are there being educated between the ages of 6 and 16 years?

Answer.—There are about twelve hundred (1,200) children in the town; but as to the expense of their education, I have no knowledge.

Question No. 517.—What objections have you to the Bill passed by the Assembly in the 10th Parliament, intituled “An Act to establish Upper Canada College,” and intended to give a more liberal constitution to that public Institution?^{*}

Answer.—I have no recollection of the provisions of the Bill.

Question No. 536.—Have your functions and salary as President of the General Board of Education ceased? And, if so, under what authority, and who has succeeded to the emoluments and office?

Answer.—I understood, that in consequence of an Address of the House of Assembly, that Board was suppressed.

Question No. 541.—Was Mr. Thomas Appleton's application for his proportion of public moneys, as a Teacher in this city, unfavourably reported on to the Lieutenant-Governor by His Council?[†]

Answer.—I have no recollection.

Question No. 564.—In your letter of the 3rd of March, to Lieutenant-Colonel Rowan, in explanation of a payment of £500 or £524 sterling, made to you in London, from the Canada Company's fund, you state that it was to defray charges respecting King's College. We are desirous to ascertain, for the information of the House of Assembly, the way in which this money was expended, and the particular items of expense incurred by you, for which this was your remuneration? [See below, and page 170 of this Volume.]

Answer.—I have no further explanation to give than what my letter contains. The Colonial Department, under whose direction it was expended, was satisfied, and no part of the five hundred pounds (£500) remained with me.

NOTE.—The Letter of the Reverend Doctor Strachan to Lieutenant-Colonel Rowan, dated the 3rd of March, 1835, is as follows:

SIR:—I have the honour to acknowledge your letter of the 27th ultimo, requesting such information on [one] subject referred to [in an Address, on the 17th ultimo] by the House of Assembly, as will enable His Excellency to comply with the wishes of that Body. I beg leave to state that I never received any such sum as eight hundred and twenty-four pounds (£824)[‡] sterling out of the public revenue of this Province, and have no knowledge of the Return to the British House of Commons in which that charge is said to have been mentioned.

Perhaps, however, the charge, though erroneous in amount, may allude to two separate and distinct sums of money which were placed in my hands by His Majesty's Government in London, during the winter and spring of 1827, which taken together compose eight hundred pounds, (£800) sterling:

First. The sum of three hundred pounds, (£300,) sterling, being my salary as Archdeacon of York, which was not paid over to me until January, 1827.

Second. The sum of five hundred pounds, (£500,) sterling, placed in my hands to defray certain charges incident to procuring the Charter of the University of King's College; all of which was expended to the satisfaction of the Secretary of State for the Colonies. In this matter I was employed, merely as Agent, and had no personal interest in the disbursement.[§]

Having thus endeavoured to furnish His Excellency with the only information, which can, as far as I am able to conjecture, be supposed to bear upon the matter of inquiry, I may be permitted to add, that I never received any money from His Majesty's Government to which I was not justly and honourably entitled, and have, therefore, not the slightest objection to explain any and every pecuniary transaction which has taken place between me and the Government, either here, or in England, to which the attention of the Legislature may be directed.

JOHN STRACHAN.

LIEUTENANT-COLONEL ROWAN, CIVIL SECRETARY, ETC.

* A copy of this Bill is printed on pages 301-304 of the First Volume of this Documentary History.

† The full details of Mr. Thomas Appleton's case are given on pages 244-253 of the First Volume of this Documentary History.

‡ In the Address presented to the Lieutenant-Governor, on the 19th of February, 1835, this sum is given as £784. See page 163.

§ The authority for this payment is contained in a Despatch from Lord Goderich to Sir Peregrine Maitland, dated the 28th of June, 1827, and printed on page 226 of the First Volume of this Documentary History.

2. *Evidence of Lieutenant-Colonel Alexander Chisholm, M.P.P. for the County of Glengarry.*

Question No. 239.—Are the Common Schools in your District sufficiently numerous, and efficient for the wants of the country?

Answer.—They are numerous, but not efficient.

Question No. 246.—What School Masters did the Bishop (Macdonell) bring from Europe?

Answer.—Four; Mr. Hammond, Mr. Murdoch, Mr. McDonald and Mr. McPherson. I think the latter came from the West Indies.

Question No. 247.—From what funds were they paid?

Answer.—I cannot tell. I understand that one hundred pounds, (£100,) is allowed for each of them by the Government.

Question No. 248.—Did they teach School?

Answer.—Three of them taught School in Glengarry for some time. One of them taught a Common School.

Question No. 249.—Are there any Roman Catholic School Masters now in Glengarry paid out of the Government appropriation to such Teachers?

Answer.—I am not aware that there are. Bishop Macdonell paid the School Masters referred to in my former answer. It is more than five years since they left. I am aware that the Bishop has been occasionally giving the Common School Teacher at Alexandria some money. I know that he had paid him in all £18. This was about a year or two ago.

Question No. 263.—Are you aware that Roman Catholic School Houses have been erected, or Roman Catholic School Masters maintained, out of the funds provided by the Government?

Answer.—There was a School House erected at St. Raphael's, but I cannot say from what fund. I am not acquainted with what has been done in other parts of the Province.

3. *Evidence of the Reverend Angus McDonell, Curé of Sandwich.*

Question No. 288.—Has there been, at any time, within your knowledge, any one School Master residing and teaching in this City, (Toronto,) who received any salary, or portion of the appropriation given to Roman Catholic Teachers, for his services?

Answer.—Yes; John Siers or Sawyer, he received, within my knowledge, about twenty pounds, (£20,) per year, for teaching in this place.

Question No. 289.—How long since he taught in this place?

Answer.—I cannot tell, but I saw the money paid to him last winter. I think there is another Teacher now in his place, who will receive the money.

Question No. 290.—Have you any knowledge of a person named John Butler having received any portion of it, under the pretext of his being a School Master?

Answer.—No; I do not know anything of it. I know Mr. Butler, but I do not know that he has received any Government money. If he has received any money, it was not received by him in the capacity of a School Master.

Question No. 291.—Was he, Butler, *bonafide* a School Master, coming within the intention of Earl Bathurst's Despatch, authorizing Bishop Macdonell to apply one-fourth of His Majesty's bounty for the Clergy to the payment of School Masters? (See page 141 of this volume.)

Answer.—Mr. Butler might have received something at one period as a School Master, because he taught School at one time here in this town.

Question No. 300.—Do you know of any sum of money lodged by Bishop Macdonell in the hands of Messieurs Maitland, Garden and Auldjo, the appropriation of the Imperial Government for Schools and for ecclesiastical purposes.

Answer.—The Bishop, when in England, received a sum of from two thousand pounds (£2,000), to three thousand pounds (£3,000), which he lodged in the hands of Messieurs Maitland, Garden and Auldjo, because he was then on his way to Rome, which house failed before the Bishop's return to this country, and the Bishop has been now compelled to pay this money out of his own private funds.

Question No. 301.—Are you aware that one-fourth of the Annual Appropriation made in England is for the support of Schools?

Answer.—No; but the Bishop has discretionary power to appropriate one-fourth of the annual appropriation to the support of Schools. There are some Schools in the Province partially maintained from this bounty.

Question No. 306.—Are the Common Schools in your District sufficiently numerous and efficient for the wants of the country?

Answer.—They are not. I think the sale of the Clergy Reserves, if appropriated to Education, would afford sufficient fund for the support of Common Schools.

Question No. 307.—What is your opinion of the system of District (Grammar) Schools in Upper Canada?

Answer.—I believe that in most cases, they are a nuisance. I think that if the one hundred pounds, (£100,) would be divided among four Common Schools, it would tend more to the benefit of the country.

4. *Evidence of the Very Reverend Doctor William J. O'Grady, Roman Catholic Incumbent of the Parish of York, (since 1829):*

Question No. 393.—Did one John Siers or Sayer, or any other Roman Catholic School Master, teach in York since 1829?

Answer.—John Siers did not teach until the year 1833, when he opened a School on his own account; he did not, within my knowledge, receive any portion of the Government appropriation. After he left here, (York,) I met him in Kingston, and he told me he had received none. Previous to Siers coming to the Parish, I engaged a School Master by the name of Harvey, who had a promise from Bishop Macdonell of twenty pounds, (£20), per annum for the support of a School Master, but, though he commenced his School on the faith of this promise, he was never paid one farthing, and after residing six months in this City, he was obliged to leave us.

Question No. 394.—Referring you to the evidence given before this Committee by the Reverend Angus McDonell, V.G., respecting the appropriation for Schools, can you show that His Majesty's Government intended that two hundred and fifty pounds (£250,) a year should be appropriated to the payment of Roman Catholic School Teachers?—I think so.

The Bishop of Regiopolis showed me the copy of a Despatch from Lord Bathurst authorizing him to appropriate one fourth of the annual grant for that purpose; and, that the Executive of the Country was of the same opinion, will appear by the following letter from Sir John Colborne to Bishop Macdonell, dated York, 20th April, 1829.

MY LORD BISHOP:

I have the honour to acknowledge the receipt of Your Lordship's letter of the 2nd instant and to return the inclosed document from Major Hillier,* by which it certainly appears that you are authorized to apply, for the support of School Masters, one fourth of the annual appropriation of His Majesty's Government.

J. COLBORNE.

THE RIGHT REVEREND DOCTOR MACDONELL,
BISHOP OF RESINA [OR RHESINA.]

Question No. 395.—Have you heard of any sum, or sums, of money being given to Bishop Macdonell for the purpose of erecting a Church, or Seminary, at Guelph?—I have. One thousand pounds (£1,000,) were sent to the Bishop by Cardinal Weld for that purpose, . . . I put the following letter addressed to me by the Bishop in evidence. It is dated at St. Raphael's, Glengarry, January 16th, 1830.

VERY REVEREND AND DEAR SIR:

. . . My Seminary [here] alone, in which I have been generally supporting for the last five years, from seven to nine, or ten, young men, has cost me at an average three hundred pounds, (£300,) per annum,—being obliged to provide them, besides board and Education and clothing, with every other necessary, for several of them have not the means of procuring those things for themselves.

This, and the expenses of the (Seminary) Buildings here, which, from first to last, have amounted to upwards of three thousand pounds, (£3,000,) currency, without the aid of a single dollar from any human being. . . . Doctor Weld has indeed advanced me one thousand pounds, (£1,000,) pounds towards a Church building in Guelph, which has gone . . . partly to defray expenses contracted by the building of, other churches, etc. . . . You will be pleased to send me a cheque which Mr. Harper will give you, if you lodge the money with him for the quotas of the four School Masters. . . .

THE VERY REVEREND WILLIAM J. O'GRADY, Vicar General.

†ALEX. REGIOPS, EP.

* No "document" is further mentioned, or given in his evidence, by the Witness.

BISHOP MACDONELL AND THE COLLEGE OF REGIOPOLIS AT KINGSTON.

An interesting pamphlet was written in 1888, by the late Chevalier William John Macdonell, French Consul at Toronto, entitled: "Reminiscences of the late Honourable and Right Reverend Alexander Macdonell, First Roman Catholic Bishop of Upper Canada." From these "Reminiscences" I condense the following particulars in regard to the late Bishop: He was born on the 17th of July 1762, near Loch Ness, Invernesshire, Scotland. He was educated at the Scottish Colleges, first at Paris and afterwards at Valladolid, where he was ordained in 1787. In 1794, Mr. Macdonell conceived the idea of forming some Roman Catholic operatives out of work into a Regiment. This was done with the King's sanction, and he became Chaplain to the Glengarry Fencible Regiment, first in Guernsey and then in Ireland. In 1802, the Regiment was disbanded, and, in March of that year, Mr. Macdonell obtained the Sign Manual for a grant of land for every officer and soldier of the Regiment whom he could introduce into Upper Canada. On his own arrival, he was appointed to the Mission of St. Raphael, Glengarry. For more than thirty years (36) his life was devoted to the Missions of Upper Canada.* On the 12th of January, 1819, he was nominated Bishop of Rhemesina, and Vicar Apostolic of Upper Canada, and was consecrated in Quebec on the 31st of December, 1820. On the 14th of February, 1826, he was appointed the first Bishop of Upper Canada, with the title of Regiopolis, or Kingston. On his return from England he resided in York, at the corner of Nelson (Jarvis) and Dutchess Streets. In 1836, he removed to Kingston. In 1839, he went to England. On a visit to Ireland, took cold from exposure of rain and also in Scotland where he died on the 14th of January, 1840. His remains were in 1861 removed to Kingston and buried there.†

Referring to the services of Bishop Macdonell, the Roman Catholic Archbishop of Kingston, (Doctor Cleary,) in a letter to the *Toronto Catholic Register*, dated the 7th of October, 1894, says that Bishop Macdonell:

"Raised two regiments of Scotch Fencibles from amongst his own people, and led them forward and cheered them on by his presence and bravery in several battles with the enemy in Eastern Ontario." This, the Archbishop says, "profoundly touched the hearts of the statesmen in the Foreign Office in London, and in the Governor-General's Citadel, in Quebec; so much so that in token of high appreciation, he received from the king a pension for life, which was afterwards doubled, and then quadrupled, and made hereditary in perpetuity to his successors in office after he had become Bishop of Kingston."—*Catholic Register*, 18th October, 1894.

*In Speaking to the late Bishop Strachan, many years ago about his early School life at Cornwall, he incidentally mentioned that he and his countryman, Bishop Macdonell, were very friendly with each other, and that the Bishop used to stop with him on returning to Glengarry from the mission journeys.

†In his Essays on the (Roman Catholic) Church in Canada, by D. A. O'Sullivan, Esq., Q.C., LL.D., Dr. O'Sullivan thus refers to the first Bishop of Regiopolis, (Kingston). Bishop Macdonell did missionary work in Canada for thirty-six years, and died in 1840. He is a martial figure in the history of the Church in this Country, and had many difficulties to encounter. He had been Chaplain in Ireland during the trouble of '98; . . . he was missionary in Canada during the War of 1812, and Bishop of Kingston during the Rebellion of 1837. . . . He was named a Legislative Councillor in 1834, (see page 27 of this Volume), shortly after the creation of his See, and was in receipt of a considerable pension from the (British) Government of the day; Pages 131, 132.

Reference to the services, and pension, of Bishop Macdonell, is made in note (*) on page 141 of this Volume.

In 1825, the Bishop established a Seminary at St. Raphael. In 1835, he and others petitioned for an Act of Incorporation for a Seminary, or College, at Kingston, (See pages 165 and 177), and in 1837 it was incorporated, and had a piece of land set apart for the new College. In that year the Bishop, Vicar-General Angus Macdonell and Doctor Thomas Rolph of Ancaster,* went to England for the purpose of collecting money for the new Seminary at Kingston. After a time this Seminary was established there as Regiopolis College.

The following references to the early days of Regiopolis College, occur in the publications named in the appended foot notes.

In 1835, the Honourable and Right Reverend Bishop Macdonell gave . . . four acres of land to a projected Roman Catholic College . . . a College established (in 1830) in the County of Glengarry. The site (of St. Raphael's) of the College was afterwards removed to Kingston. . . .

Regiopolis College . . . was opened in 1846, by the Very Reverend Angus Macdonell, Vicar-General, who is its present President (1863). The general course in the College embraces Classics, Mathematics, Philosophy and Theology. †

The establishment of this College is due to the late Roman Catholic Bishop Macdonell, by which it was endowed with a grant of nearly four acres within the limits of the City of Kingston, and afterwards by a legacy of real and personal estate. In 1837, it was incorporated, under the title of *The College of Regiopolis*, (7th William IV, chapter 56); and, in 1845, the Trustees under the Will, were authorized by the Act, (8th Victoria, chapter 79,) to convey the legacy of the Bishop to the College Corporation, and the latter was authorized to hold real property to the value of three thousand pounds, (£3,000,) currency per annum. The officers are : The Reverend Angus Macdonell, Vicar-General, President ; the Reverend J. B. O'Brien, B.A., H. Burns, Isaac McCarthy and Michael Stafford,‡ Professor.§

5. *Evidence of William Buell, junior, Esq., M.P.P. for the County of Leeds.*

Question No. 351.—Are the Common Schools in your District sufficiently numerous and efficient for the wants of the country ?

Answer.—No.

Question No. 356.—How often have you been elected as a Representative of the County of Leeds ?

Answer.—I have been elected to two Parliaments (1829, 1831, 1835).

Question No. 357.—Was not your father a former Member of the House of Assembly ?

Answer.—He was ; in 1801.

Question No. 369.—What is your opinion of the system of District (Grammar) Schools, in Upper Canada ?

Answer.—I think the system is a bad one, as the law is now carried into effect.

6. *Evidence of James Wilson Esq., M.P.P. for Prince Edward County.*

Question No. 115.—When were you first a Member of the House of Assembly of this Province ?

Answer.—I was first a Member of the House of Assembly in 1808.

*Dr. O'Sullivan, in his "Essays," page 132, says : "Dr. (Thomas) Rolph . . . adds that Bishop Macdonell has long since desired to erect a College for the Education of Youths for the Priesthood, in a beautiful and commanding piece of ground . . . overlooking the Town and suburbs of Kingston. . . ." Dr. O'Sullivan says farther : A gift of one thousand pounds sterling, (£1,000,) by Cardinal Weld, for the purpose of building a College at Guelph, is mentioned in early days ; and the same writer, Dr. Rolph, says that there was, in Prescott, a very elegant stone building erected by the (Roman) Catholics, denominated 'Grenville College,' over which the Reverend J. W. Campion presided ; pages 132, 133.

†Eighty Years Progress of British North America, 1863, pages 395 and 437.

‡This gentleman was afterwards well known as the excellent Priest at Lindsay, to whom I was authorized to speak, in regard to his acceptance of the post of Principal of the Normal School at Ottawa, when it was established in 1875.

§"The Educational Directory and Calendar for 1857-8, edited by Thomas Hodgins, B.A., Univ. Coll. Toronto," page 89.

Question No. 118.—Are the Common Schools sufficiently numerous and efficient for the wants of the country?

Answer.—They are not. The present system is grievous and injurious to the people. The District (Grammar) Schools have not united the great majority of the inhabitants. The Common Schools ought to be more numerous by one half, and ought to be better supported.

7. *Evidence of John Brown, Esq., M.P.P. for the County of Durham.*

Question No. 323.—Are the Common Schools in your District sufficiently numerous and efficient for the wants of the country?

Answer.—I think not.

8.—*Evidence of Mr. Gilbert McMicking, M.P.P. for the County of Lincoln.*

Question No. 434.—Are the Common Schools in your District sufficiently numerous and efficient for the wants of the country?

Answer.—I should think not.

9.—*Evidence of Mr. James Durand, M.P.P. for the County of Halton.*

Question No. 472.—Are the Common Schools in your District sufficiently numerous and efficient for the wants of the country?

Answer.—I think not, generally speaking.

10.—*Evidence of Lieutenant-Colonel A. G. W. G. Van Egmond, Huron Tract.*

Question No. 201.—What price did the Canada Company pay for the Huron Tract?

Answer.—About two shillings and ten pence half-penny sterling per acre; sixteen years credit, without interest; and forty-eight thousand pounds, (£48,000,) sterling, allowed off, to improve their own land, which, I believe, would be equal to about one shilling sterling per acre.

Question No. 202.—What is the Company selling the land for?

Answer.—From twelve shillings and sixpence (\$2.50) to thirteen shillings and ninepence (\$2.75) per acre.

Question No. 203.—What is the extent of the Huron Tract?

Answer.—One million two hundred thousand (1,200,000) acres, from which one hundred thousand (100,000) acres were deducted for a swamp.

Question No. 214.—Are there any Schools?

Answer.—One at Goderich. The Canada Company do not support any School that I know of.

Question No. 218.—What is the established religion in the Tract?

Answer.—There are no Ministers of religion of any kind in the Huron Tract. The population is about two thousand (2,000).

APPENDIX NUMBER 2. DOCUMENTS APPENDED TO THE SEVENTH REPORT OF THE SELECT COMMITTEE OF THE HOUSE OF ASSEMBLY ON GRIEVANCES, 1835.

No. 61. *King's College.*

Under the guidance of the Church of England. President, Archdeacon Strachan.

Grant from the proceeds of Sales of Public Lands to the Canada Company for 1828 '29, '30, '31, '32, '33 and '34. Seven years at £1,111 a year, £7,777. This Institution is endowed with 225,000 acres of valuable Public Land.

The Committee reported an Address enquiring into the expenditure of King's College, that establishment not being as yet in operation; no information has been given by the Lieutenant-Governor. Your Committee have, therefore, referred to the returns in the Journal of 1831-2, page 181, of the Appendix, where it is shown that there is a Registrar with £150, a Bur-sar with £150, a Clerk with £100, and a Messenger with £36. Who these officers are is not there stated, nor are their several duties well ascertained.

The Reverend John Strachan, D.D., President of General Board of Education for Upper Canada	£270
The Honourable Joseph Wells, Bursar of the University of King's College, Treasurer Upper Canada College	385
The Honourable George Herchmer Markland, Registrar of King's College	135
The Honourable George H. Markland, Secretary and Treasurer of the Board of Education for Upper Canada	90
	£880

No. 62. Upper Canada College.

The Reverend Joseph H. Harris, Principal	£666 Sterling
The Reverend Charles Matthews, Classical Master	333 "
The Reverend C. Dade, B.A., Mathematics	333 "
Messieurs George A. Barber and John Kent, Writing, etc....	333 "
Mr. J. P. De la Haye, French Master	222 "
Mr. J. G. Howard, Drawing Master	222 "

The "fixed annual charges for salaries and allowances" in this College, exclusive of contingencies, all which charges are paid from public revenues raised from the people of Upper Canada, all the above, as also a Vice-Principal at £441 a year; a second Classical Master at £333; a Porter at £44; £27 10s. of an allowance each for the three Junior Masters, in lieu of Dwelling Houses, which Houses the Seniors have, in addition to their salaries. These facts we ascertain from page 183 of the appendix to the Journal for the Second Session of the last Parliament (1831).

No. 77. D. Relating to Education.

The establishing places of learning for the children of persons holding situations under the Local Government, and few other wealthy or influential individuals, at great public cost, but placed beyond the control of public opinion, and from which the sons of the yeomanry derive no benefit or advantage, while the exceedingly numerous and very reasonable Petitions of that yeomanry for public support to the all important cause of general Education throughout the Colony are steadily resisted by persons in authority, in and out of the Assembly, and even declared to be unnecessary in the present state of the Public Finance, has the effect of preventing that steady increase of capable men, fit for jurors, for township and county officers, and for the Halls of Legislation, whose feelings and interests would be the most closely united and identified with the welfare, the happiness, the general prosperity of their native country, and whose minds would, (under a better order of things,) become fitted for the correct transaction of the public business of the Colony, by previous observation, study and contemplation. (The existing system raises up and multiplies greatly in the Colonies the friends and supporters of arbitrary and exclusive principles and institutions.)

I am desirous of making general Education the subject of a separate communication.*

(See also the Report of the Select Committee of the House of Assembly on Education, in the Appendix to the Journals of the Assembly for 1829.)

For this Report, see page 269 of the First Volume of this Documentary History.

From a memoir enregistered in the Colonial Office, as "2888, Upper Canada, 1832."

2. EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL, 1835.

On the 4th of January, 1835, His Excellency the Lieutenant-Governor opened the First Session of the Twelfth Provincial Parliament with a Speech from the Throne. (See page 159.) In it he made no reference to the subject of Education.

January 19th, 1835.—The Honourable Thomas Clark brought up the Petition of Mr. William Hamilton Merritt, and others, Trustees of the Grantham Academy, which was laid on the Table.

January 21st, 1835.—Pursuant to the Order of the Day, the Petition of Mr. William Hamilton Merritt and others, Trustees of the Grantham Academy, praying for an amendment to their Act of Incorporation,† was read.

* No such communication appears in the Report, or Appendix, to the Report on Grievances.

† Inserted on page 313 of the First Volume of this Documentary History.

February 9th, 1835.—His Honour the Speaker reported to the House that a deputation from the Commons House of Assembly had brought up a Bill intituled : “An Act to authorize the Trustees of the Grantham Academy to dispose of Real Estate, and for other purposes therein mentioned,” to which they requested the concurrence of this House. The said Bill was then read a first time ; and it was ordered, that the same be read a first time to-morrow.

February 10th, 1835.—Pursuant to the Order of the Day, the Bill intituled : “An Act to authorize the Trustees of the Grantham Academy to dispose of Real Estate, and for other purposes therein mentioned,” was read a second time ; and it was ordered, that the House be put into a Committee of the Whole to-morrow to take the same into consideration.

February 11th, 1835.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill intituled : “An Act to authorize the Trustees of the Grantham Academy to dispose of Real Estate, and for other purposes therein mentioned.” The Honourable James Gordon took the chair. After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment, or otherwise. It was ordered that the Report be received ; and it was further ordered that the said Bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment, or otherwise ; and it was ordered, that the Honourable Messieurs George Herchemer Markland and Augustus Baldwin do compose the said Committee for that purpose.

16th March, 1835.—The Clergy Reserves Sale Bill for the purposes of Education, sent up from the House of Assembly on the 9th instant, was read a second time and referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment, or otherwise, and that Messieurs George H. Markland, John Elmsley, and James Crooks do compose such Committee.

March 20th, 1835.—The Select Committee, to which was referred the Clergy Reserves Sales Bill reported, presented their Report, (in the form of Resolutions,) which was received and read by the Clerk. The fourth Resolution relating to Education is as follows :

4. *Resolved*, That efforts have been made to procure a total abolition of this provision for the support of Religion, by obtaining an Act of the Provincial Legislature, directing the sale of the Reserves, and the appropriation of the proceeds to the purpose of general Education.

March 23rd, 1835.—Several Messages from His Excellency the Lieutenant-Governor were delivered by Mr. Secretary Rowan, who having retired, those relating to Education were read as follows :

J. COLBORNE :

1. The Lieutenant-Governor transmits to the Legislative Council the accompanying copy of a Memorial [on Education] from Mr. Mahlon Burwell. (See page 160 of this Volume.)

2. The Lieutenant-Governor transmits to the Legislative Council, such reports of District, (Grammar) and Common Schools as have been received since last Session.

GOVERNMENT HOUSE,

TORONTO, 23rd March, 1835.

J. C.

March 31st, 1835.—His Honour the Speaker reported to the House that a deputation from the Commons House of Assembly had brought up a Bill intituled : “An Act to Promote Education,” to which they requested the concurrence of this House. The said Bill was then read a first time, and it was ordered that it be read a second time to-morrow.

April 1st, 1835.—Pursuant to the Order of the Day, the Bill intituled : “An Act to Promote Education,” was read a second time ; and it was ordered, that the House be put into a Committee of the Whole on Monday next, to take the same into consideration ; and that in the meantime it be printed for the use of Members.

April 2nd, 1835.—His Honour the Speaker reported to the House that a deputation from the Commons House of Assembly had brought up a Bill intituled : “An Act to Amend the Charter of King’s College ;” the said Bill was then read a first time ; and it was ordered, that the same be read a second time on Monday next.

April 4th, 1835.—The Honourable and Venerable the Archdeacon of York, from the Select Committee, to which it was referred, presented their further Report on the Bill for the Sale of the Clergy Reserves for the purposes of Education, as follows : The Select Committee to whom was referred the Bill sent up from the House of Assembly intituled : “An Act for the disposal of the Clergy Reserves in this Province for the purposes of General Education,” with instructions to report upon the principles and details of the Bill . . . have agreed upon the following Report, which they trust may serve to bring the subject under the view of your Honourable House with several bearings.

NOTE.—This Report is an elaborate document, chiefly historical in its character. It was followed by two series of statements in regard to the details of the Bill, numbered respectively from one to three, and from one to seven. The seventh one of the second series, relating to Education is as follows :

7. That the moneys are to be disposed of by the Legislature for the support and promotion of Education, and to no other purpose whatever, it being clearly stated in the Bill that the Education spoken of is not to include religious instruction, or public worship, through the ministry of any clergy supported by this fund; and it is worthy of remark that this measure is introduced after the Legislature have been for three years entrusted, by the voluntary surrender of the Crown, with the management of very large tracts of land formerly set apart expressly for the maintenance of Schools, in the course of which, three years, not one step has been taken, nor any measure proposed for the concurrence of the Legislative Council, for turning that liberal endowment to account. (See also Resolution adopted on the preceding 20th of March ; page 195.)

The Preamble of this Clergy Reserves Sales Bill from the House of Assembly, upon which the foregoing remarks were practically based, are as follows :

And whereas it is just and expedient that the proceeds arising from the sale of the said Clergy Reserve lands, as well as such portions as have already been sold, as well as those to be hereafter sold, and also arising from such as have been, or hereafter shall be, leased, should be applicable and appropriated to the support of General Education, by which all His Majesty's subjects may equally participate : Be it therefore enacted, etc.

April 6th, 1835.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill intituled : “An Act to Promote Education.”

The Honourable George Crookshank took the chair. After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill into consideration, had made some progress therein, and recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendments, or otherwise. It was ordered, that the Report be received, and that the said Bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment, or otherwise ; and ordered, that the Honourable Messieurs Thomas Clark, William Dickson, and the Honourable and Venerable the Archdeacon of York, do compose the Committee for that purpose.

April 7th, 1835.—Pursuant to the Order of the Day, the Bill intituled : “An Act to Amend the Charter of King's College,” was read a second time ; and it was ordered, that the House be put into a Committee of the Whole on Tuesday next, to take the same into consideration.

April 8th, 1835.—His Honour the Speaker reported to the House that a deputation from the Commons House of Assembly brought up a Bill intituled : “An Act to Provide Additional Aid in Support of Common Schools in the several Districts in this Province ;” to which they request the concurrence of this House. The said Bill was then read a first time ; and it was ordered, that the same be referred to the Select Committee, to whom was referred the Bill intituled : “An Act to Promote Education.”

April 9th, 1835.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill, intituled : “An Act to Amend the Charter of King's College.” The Honourable John A. Hamilton took the chair. After some time the House resumed, and the Honourable John Elmsley moved, that a Select Committee be appointed to frame an Address to His Majesty, expressive of the views of this House, upon the form and principle on which an University should be formed, best calculated to promote the welfare of His Majesty's dutiful subjects in this Province, which being seconded, the question of concurrence was put and carried in the negative.

(NOTE.—Thus, apparently, the Bill was dropped, as it did not come before the Council again during the Session ; see page 209 of this Volume.)

Pursuant to the Order of the Day, the House was put into a Committee of the Whole, upon the further Report of the Select Committee, to whom was referred the Bill, intituled : “An Act for the Disposal of the Clergy Reserves in this Province, for the purposes of General Education,” the Honourable William Allan took the chair.

After some time the House resumed, and the Chairman reported that the Committee had gone through the said Report of the Select Committee, on the Clergy Reserve Sales Bill, and recommended the same to the adoption of the House. It was ordered, that the Report be received ; and, it was further ordered, that the Report be referred, (together with the Resolutions on the same subject,) to the same Select Committee, with instructions to frame an Address to the King, and to the two Houses of the Imperial Parliament thereon.

The Honourable Thomas Clark, from the Select Committee to whom was referred the Bill intituled : "An Act to Promote Education ;" and also the Bill intituled : "An Act to Provide Additional Aid in Support of Common Schools in the several Districts in this Province," presented their Report. It was ordered that it be received ; and the same was then read by the Clerk as follows :

REPORT OF THE SELECT COMMITTEE ON THE ACT TO PROMOTE EDUCATION.

To the Honourable the Legislative Council :

The Select Committee to whom was referred the Bill sent up from the Commons House of Assembly intituled : "An Act to Promote Education," to report on the same, have examined the principles and provisions of the Bill, and have agreed to the following Report, which they trust will bring the proposed measure in a clear manner under the review of your Honourable House.

Your Committee proceeded under a deep sense of the great importance of Education to the community, and an ardent desire to find the Bill such as they could recommend to the adoption of your Honourable House, and this anxiety was greatly increased from the liberal and encouraging language of the preamble. To provide more amply for the teachers of the Common Schools, and, as a consequence, to raise the standard of their attainments, is an object of the greatest consequence to the healthy prosperity of this rapidly growing Colony ; nor is it less worthy of an enlightened Legislature to take proper means for encouraging, in a special manner, those youths who distinguished themselves in the earlier part of their education, by providing means to enable them to pursue their studies in the higher Seminaries. Such promising youths may be deemed public property, and will amply reward, by their future services to their country, the patronage that may be shown them.

Your Committee, however, when they came to the first enacting clause by which the ninth section of the 56th George III., (1816) Chapter xxxvi,* is repealed, evidently for the purpose of introducing a new application of the principle of election, felt assured that, under such an alteration, the valuable objects set forth in the preamble of the Bill could never, in a satisfactory manner, be realized.

As the law now stands, the Governor, Lieutenant-Governor, or Person administering the Government of this Province, by the ninth clause of the 56th George III., (1816) chapter xxxvi., is authorized

"to appoint not more than five fit and discreet persons to compose a Board of Education in each and every District of this Province, three of whom shall be a quorum, who shall have full power to superintend such Common Schools in the District for which they are appointed, and shall annually report to the Governor, Lieutenant-Governor, or Person administering the Government, the state of the said Common Schools, to be laid before the Legislature at their next ensuing meeting."

The present Bill proposes to repeal this clause, which is in itself simple and effective, and has been found, from an experience of nineteen years, to work as well as could have been anticipated from the limited powers possessed by the Boards ; and, for such District Boards, it is proposed to substitute a complicated, burthensome, inefficient, and expensive machinery.

According to the present law the different Boards of Education, consisting of five members for each of the twelve Districts, comprise sixty in all, of the best informed gentlemen in the Province, and they serve gratuitously.

According to the proposed enactment, nearly twelve hundred persons are to be employed for the performance of the same duties, and, of those, nearly three hundred are to be paid out of the School Fund for the time they are employed, which your Committee cannot help thinking is an unnecessary waste of public money.

By the second section it is enacted, that three proper persons be nominated and appointed at the Township meeting, to be Superintendents of Schools in the Township for one year.

On this provision your Committee beg leave to remark :

First.—That they do not find the principle of election applied in this manner in any country where Education is conserved, nor can they believe that a Town meeting is a proper place to select those who are to preside over the morals and intellectual improvement of the rising generation ; such Superintendents ought to be persons of competent education and moral worth, or they cannot discharge the duties of their office.†

*See page 103 of the First Volume of this Documentary History.

† The Select Committee of the Legislative Committee, very properly here points out that these Superintendents of Township Schools should be "persons of competent education and moral worth, or they cannot discharge the duties of their office." This was abundantly proved in the experience of the Education Department from 1850 to 1871, when the present system of certificated County Inspectors of the Public Schools was adopted. See remarks on this provision of the Bill, on page 33 of this Volume. See also page 206.

Second.—The appointment, being only for one year, deprives the proposed system of all stability, and nothing can be more pernicious than constant changes in matters of Education, when those changes arise, not from principles maturely considered, but from the tempers, caprices, and incapacity of a rapid succession of different men.

Third.—These Superintendents are clothed by section three with power to select three of the most talented and promising scholars in their several Townships for admittance into the District (Grammar) School, or other higher Seminaries; now, this duty, not only requires the greatest delicacy in discharging it, but a very superior degree of scholarship on the part of the Superintendents; such as, without prejudice to the respectable yeomanry of the country, cannot, in general, be found. Indeed, the office of Superintendent, as laid down in this Bill, requires qualifications which will not generally be found among the yeomanry of any country.

Fourth.—The Superintendents are further required to nominate and appoint a fit and proper person to be a Member of the District Board of Education, so that, in each District, the number composing the Board of Education will be one for each organized Township, consequently some Districts will have thirty or forty, and some fewer, perhaps, than twenty; such numbers will be found to obstruct, rather than promote, business.

Having found that the Bill, in its present form, would neither be useful nor answer to its preamble, without very material alterations, your Committee, before entering upon the consideration of them, thought it wise to ascertain from the Inspector-General, whether the large permanent appropriation charged upon the Provincial Revenue by the sixteenth section could be conveniently met, and, having learned from that respectable authority, that there was no particular difficulty on that head, your Committee proceeded to deliberate upon the necessary amendments, and beg leave to present them to the consideration of your Honourable House. Your Committee feel constrained, however, to remark, that notwithstanding their endeavours to render the Bill practicable by the various alterations, which they suggest, it will still be found a very imperfect measure, and much inferior to one which they would have taken the liberty of proposing to Your Honourable House, had not the Session been so far advanced, and the nature of some of the enactments such as to render it doubtful whether they could have, according to usage, originated in this branch of the Legislature.

AMENDMENTS TO THE "BILL TO PROMOTE EDUCATION," BY THE LEGISLATIVE COUNCIL.

Press 1, line 10.—After "same" expunge to "that" in the fifth line of Press two.

Press 2, line 6.—Expunge "hereby."

Press 2, line 10.—Expunge "present."

Press 2, line 11.—After "to do" insert "and."

Press 2, line 11.—After "quorum" expunge the remainder of the clause.

Press 2, line 17.—Expunge "each Country" and insert "such District."

Press 2, line 17.—Expunge "such" and insert "the."

Press 2, line 17.—After "education" expunge the remainder of the clause.

Press 2, line 22.—Expunge "each County" and insert "their District."

Press 2, line 24.—After "chosen by" expunge "such" and insert "the."

Press 2, line 24.—After "education" expunge the remainder of the clause.

Press 3, line 1.—Expunge "such members of."

Press 3, line 1.—Expunge "as reside in the County from which such student shall have been sent will."

Expunge ninth, tenth, eleventh, twelfth, thirteenth and fourteenth clauses.

Press 4, line 10.—After "Province" expunge the remainder of the clause, and insert "for the purposes of Education."

Press 4, line 22.—After "Districts" expunge the remainder of the clause.

Press 5, line 1.—After "District" expunge the remainder of the clause.

Press 5, line 7.—After "inspection" expunge the remainder of the clause.

All which is respectfully submitted.

THOMAS CLARK,
Chairman.

LEGISLATIVE COUNCIL COMMITTEE ROOM,
9th of April, 1835.

It was ordered, that the foregoing Bill, and the Report of the Select Committee thereon, be referred to a Committee of the Whole House to-morrow.

NOTE.—This Bill, as passed the House of Assembly, will be found on page 206 of this Volume.

10th April, 1835.—The Honourable Thomas Clark, from the Select Committee to whom was referred the Bill, intituled : "An Act to Provide Additional Aid in Support of Common Schools in the several Districts in this Province" present their Report. It was ordered, that it be received ; and, the same was then read by the Clerk as follows :

To the Honourable the Legislative Council :

The Select Committee to whom was referred the Bill sent up from the Commons House of Assembly, entitled, "An Act to Provide Additional Aid in Support of Common Schools in the several Districts in this Province," respectfully report :

That they have carefully examined the several provisions contained in the said Bill, and recommend it without any amendment to the adoption of your Honourable House.

All which is respectfully submitted.

THOMAS CLARK,
Chairman.

LEGISLATIVE COUNCIL COMMITTEE ROOM,
10th of April, 1835.

It was ordered, that the last mentioned Bill, and the Report of the Select Committee thereon, be referred to a Committee of the Whole House to-morrow.

11th April, 1835.—Pursuant to the Order of the Day, the House was again put into a Committee of the Whole upon the Bill intituled : "An Act to Promote Education," and the Report of the Select Committee thereon. The Honourable George Crookshank took the chair.

After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill, and Report of the Select Committee thereon, into consideration, had made some further progress in the Bill, and asked leave to sit again on Monday next. It was ordered, that the Report be received, and leave was granted accordingly.

The Order of the Day being read for the House to be put into a Committee of the Whole upon the Bill, intituled : "An Act to Provide Additional Aid in Support of Common Schools in the several Districts in this Province," and the Report of the Select Committee thereon, it was ordered, that the Order be discharged, and that the same do stand upon the Order of the Day for Monday next.

13th April, 1835.—Pursuant to the Order of the Day, the House was again put into a Committee of the Whole upon the Bill, intituled : "An Act to Promote Education," and the Report of the Select Committee thereon. The Honourable George Crookshank took the chair.

After some time the House resumed, [but without reporting, and thus the Bill was dropped.]*

The Honourable the Speaker reported to the House that a deputation from the Commons House of Assembly had brought up a Bill, intituled : "An Act to make a Grant to the Grantham and Bath Academies ;" also a Bill, intituled : "An Act for the Promotion of Science by enabling the Mechanics' Institute of the City of Toronto to procure certain Apparatus," to which they request the concurrence of this House.

14th April, 1835.—Pursuant to the Order of the Day, the Bill, intituled : "An Act to Provide Additional Aid in Support of Common Schools in the several Districts in this Province," was read a third time and passed. Whereupon the Speaker signed the same ; and it was ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council have passed this Bill without amendment.

Pursuant to the Order of the Day, the Bill, intituled : "An Act to make a Grant to the Grantham and Bath Academies," was read a second time ; and it was ordered, that the House be put into a Committee of the Whole, presently, to take the same into consideration. The House was then put into a Committee of the Whole accordingly. The Honourable John Elmsley took the chair. After some time the House resumed, [but made no report on the Bill ; it was, therefore, dropped. See page 186 of this Volume.]†

Pursuant to the Order of the Day, the Bill, intituled : "An Act for the Promotion of Science by enabling the Mechanics' Institute of the City of Toronto to procure certain Apparatus," was read a second time ; and it was ordered, that the House be put into Committee of the Whole to-morrow, to take the same into consideration.

15th April, 1835.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill, intituled : "An Act for the Promotion of Science, by enabling the Mechanics' Institute of the City of Toronto to procure certain Apparatus." The Honourable George H. Markland took the chair.

* See Report of the House of Assembly on the Legislative Council proceedings in regard to this Bill, pages 183 and 186.

† See Report of the Legislative Council on this Bill, on page 198 of this Volume.

After some time the House resumed, and the Chairman reported that the Committee had gone through the said Bill, and recommended the same without amendment to the adoption of the House. It was ordered, that the report be received; and it was further ordered, that the 44th Rule of this House be dispensed with as it regards this Bill, and, it was further ordered, that the same be read a third time this day.

Pursuant to Order, the Bill, intituled: "An Act for the Promotion of Science, by enabling the Mechanics' Institute of the City of Toronto to procure certain Apparatus," was read a third time and passed; whereupon the Speaker signed the same; and it was ordered, that the Master in Chancery do go down to the Assembly and acquaint that House, that the Legislative Council has passed this Bill without amendment.

16th April, 1835.—His Excellency being come to the Legislative Council Chamber, and being seated on the Throne, the Gentleman Usher of the Black Rod was ordered to direct the immediate attendance of the Members of the Commons House of Assembly, who being come—

His Excellency was pleased, in His Majesty's name, to assent to the following Bills:

"An Act to Provide Additional Aid in Support of Common Schools in the several Districts in this Province."

"An Act for the Promotion of Science, by enabling the Mechanics' Institute of the City of Toronto, to procure certain Apparatus."

"An Act Granting a sum of money to the Kingston Mechanics' Institute."

His Excellency was then pleased to address the Houses with the following Speech from the Throne:

I regret that no appointment of Commissioners has taken place with powers to establish Township Schools.

The endowment of King's College, and the principles on which the University is founded, having been recently under discussion, I have to assure you, that any representations, on the existing charter, from the Legislative Council and the House of Assembly, will receive the prompt and attentive consideration of His Majesty's Government.

I cannot, however, in the present state of the Province, but strongly represent to His Majesty's Government to sanction without delay the opening of this Institution, for if it be not carried into immediate operation, numerous classes of students will be deprived of the means of qualifying themselves for an able prosecution of the profession which they intend to embrace.

I am persuaded that the Council of King's College will consent to surrender the existing Charter, and recommend that such a revision of it may take place as will accord in essential points with the opinions of the Legislative Council and the House of Assembly.

(NOTE.—It will be seen from the Despatch of Lord Glenelg, the Colonial Secretary, on page 213, that the Imperial Government did not think it desirable, for the reasons given in that Despatch, to act upon the suggestions of the Lieutenant-Governor in regard to the revision of the Charter of King's College.

It will also be seen, from the reply of the College Council, as given on page 215, that the Council refused, in very strong terms, to surrender the Charter, which, in this Speech, Sir John Colborne, the Lieutenant-Governor, so confidently anticipated would be done.

The following are copies of the Acts assented to by the Lieutenant-Governor:

5TH YEAR OF WILLIAM IV.: CHAPTER XXIX.

AN ACT TO PROVIDE ADDITIONAL AID IN SUPPORT OF COMMON SCHOOLS IN THE SEVERAL DISTRICTS OF THIS PROVINCE.

Sir John Colborne, Lieutenant-Governor.

Passed 16th April, 1835.

MOST GRACIOUS SOVEREIGN:

Preamble.

Whereas it is expedient to grant a sum of money for the support of Common Schools in the several Districts of this Province, may it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and

Extra aid to
Common
Schools.

£5,650 for
1835.

How to be
distributed.

To be paid by
the Receiver-
General.

Condition of
payment.

Minimum pay-
ment to
Teachers.

Fees to Dis-
trict Board
Clerks.

under the authority of an Act passed in the Parliament of Great Britain, intituled :
“An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled ‘An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,’” and by the authority of the same, that from and out of the rates and duties now raised, levied and collected, or hereafter to be raised, levied and collected to and for the uses of this Province, in the hands of the Receiver-General, unappropriated, there be granted to His Majesty, for the use of Common Schools in this Province, for the year one thousand eight hundred and thirty-five, the sum of Five Thousand Six Hundred and Fifty Pounds, in addition to the sums now appropriated by law, to be applied in the same way and manner, and in conjunction with the present sums for Common Schools granted by Act of Parliament, which said sum of Five Thousand Six Hundred and Fifty Pounds shall be apportioned among the several Districts of this Province as follows, that is to say :

To the Ottawa District, the sum of One Hundred Pounds.
To the Eastern District, the sum of Five Hundred Pounds.
To the Johnstown District, the sum of Five Hundred Pounds.
To the Bathurst District, the sum of Five Hundred Pounds.
To the Midland District, the sum of Five Hundred and Fifty Pounds.
To the Prince Edward District, the sum of Two Hundred Pounds.
To the Newcastle District, the sum of Five Hundred Pounds.
To the Home District, the sum of Seven Hundred and Fifty Pounds.
To the Gore District, the sum of Six Hundred Pounds.
To the Niagara District, the sum of Five Hundred Pounds.
To the London District, the sum of Six Hundred Pounds.
To the Western District, the sum of Three Hundred and Fifty Pounds.

II. And be it further enacted by the authority aforesaid, that the said sum of Five Thousand Six Hundred and Fifty Pounds, shall be paid by the Receiver-General of this Province in discharge of such Warrants as may for that purpose be issued by the Governor, Lieutenant-Governor, or Person Administering the Government of this Province ; and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

III. And be it further enacted by the authority aforesaid, that during the year aforesaid, it shall not be lawful for the Board of Education in each District of this Province to pay to any Teacher of a Common School the annual allowance, unless the Trustees of the said School shall make it appear to the satisfaction of the Board of Education that they have made provision for his support, so as to secure him for his services in a sum at least equal to double the amount which may be allotted by the Board of Education from the public money, anything to the contrary in any-wise notwithstanding.

IV. And be it further enacted by the authority aforesaid, that it shall and may be lawful to and for the Board of Education in each and every District to allow the Clerks of their respective Boards, in addition to the sum they are now by law authorized to receive, the further sum of Five Pounds annually during the continuance of this Act.

5TH YEAR OF WILLIAM IV. : CHAPTER XXXVIII.

AN ACT FOR THE PROMOTION OF SCIENCE, BY ENABLING THE MECHANICS' INSTITUTE OF THE CITY OF TORONTO TO PURCHASE CERTAIN APPARATUS.

Sir John Colborne, Lieutenant-Governor.

Passed 16th April, 1835.

MOST GRACIOUS SOVEREIGN : MAY IT PLEASE YOUR MAJESTY :

Preamble.

Whereas it is of importance to the welfare of this Province that the Mechanics should be encouraged in useful Arts, we, Your Majesty's most dutiful and loyal Subjects, the Commons of this Province in Parliament assembled do therefore most humbly beseech Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and

assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, that from and out of the rates and duties already raised and collected, or hereafter to be raised and collected, to and for the uses of this Province, there be granted to His Majesty, His Heirs and Successors, the sum of Two Hundred Pounds out of the Provincial Treasury, from which moneys now remaining, or which hereafter may come into the Receiver-General's hands, unappropriated, which said sum of Two Hundred Pounds shall be appropriated and applied in purchasing a collection of Instruments suitable and proper for illustrating the principles of Natural Philosophy, Geography, Astronomy and the Mathematics, for the use of the Mechanics' Institute of the City of Toronto, in such manner as the President with any two of the Vice-Presidents of the said Mechanics' Institute shall think proper to direct.

£200 to be granted to Mechanics' Institute, Toronto.
Object.

II. And be it further enacted by the authority aforesaid, that the President of the said Mechanics' Institute, with the concurrence of the Vice Presidents thereof, is hereby authorized and empowered to deposit the said Instruments in the hands of some person resident in the City of Toronto, for the use and benefit of the said Mechanics' Institute.

Where instruments may be placed.

III. And be it further enacted by the authority aforesaid, that the Receiver-General of this Province shall account to His Majesty, His Heirs and Successors, for the said sum of Two Hundred Pounds, through the Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.

Sum payable by the Receiver-General.

5TH YEAR OF WILLIAM IV. : CHAPTER XL.

AN ACT GRANTING A SUM OF MONEY TO THE KINGSTON MECHANICS' INSTITUTE.

Sir John Colborne, Lieutenant-Governor.

MOST GRACIOUS SOVEREIGN :

Passed 16th April, 1835.

Whereas it is expedient for the encouragement of the Mechanics' Institute, to grant a sum of money for the purpose of Mathematical Instruments and Books for the use of its members we therefore beseech Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign, entitled 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, that from and out of the rates and duties already raised and collected, or hereafter to be raised, levied and collected, to and for the use of this Province, there be granted to His Majesty, His Heirs and Successors, a sum not exceeding One Hundred Pounds out of the Provincial Treasury from such moneys now remaining or which hereafter may come into the Receiver-General's hands, unappropriated, which said sum of One Hundred Pounds shall be appropriated and applied in purchasing a collection of Books and Instruments suitable and proper for illustrating the principles of Natural Philosophy, Geography, Astronomy and the Mathematics, for the use of the Mechanics' Institute of the Town of Kingston, in such manner as the President with any two of the Vice-Presidents of the said Mechanics' Institute shall think proper to direct.

Preamble.

£100 to be granted to the Mechanics' Institute, Kingston.

Object.

II. And be it further enacted by the authority aforesaid, that the President of the said Mechanics' Institute, with the concurrence of the Vice-Presidents thereof, is hereby authorized and empowered to deposit the said Books and Instruments in the hands of some person resident in the said Town of Kingston, for the use and benefit of the said Mechanics' Institute.

Where the Books may be deposited.

III. And be it further enacted by the authority aforesaid, that the Receiver-General of this Province shall account to His Majesty, His Heirs and Successors, for the said sum of One Hundred Pounds, through the Lords Commissioners of his Treasury, for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.

Receiver-General shall account.

CHAPTER XI.

BILLS OF THE HOUSE OF ASSEMBLY DROPPED, OR REJECTED,
BY THE LEGISLATIVE COUNCIL.

The rejection, by the Legislative Council, of measures passed during several years, by the House of Assembly, having been formally brought before the House of Assembly in 1835, I have thought it desirable to review the whole matter, before dealing with the specific measures relating to Education, which were rejected by the Legislative Council in 1835.

In a Petition addressed, early in 1829, "to the King's Most Excellent Majesty, and to the several other branches of the Imperial and Provincial Legislatures," and agreed to at a public meeting held in York, and presided over by Dr. W. W. Baldwin, a complaint was made, among others, of the "rejection, by the Legislative Council, of the most salutary measures passed by large majorities in the House of Assembly, and much desired by the people."* Mr. William Lyon Mackenzie reiterates the same complaint in his letter to Lord Goderich, dated January the 9th, 1833† In his noted Seventh Report on Grievances, dated April 10th, 1835, pages 258-277, he gives a number of such cases which occurred during the Parliamentary Sessions from 1824 to 1835.

I have carefully gone through the Journals of the Proceedings of the House of Assembly, and have noted the facts. It seemed to me, however, from that examination, that the House of Assembly had really led the way in its rejection of salutary educational legislation. Thus, in 1804, it thrice rejected a measure proposed, in response to an earnest Petition from the County of Glengarry, to establish Schools "in the most central places."‡ And at each rejection, the promoters of the Bill sought to modify its provisions, so as to meet the professed objections of those who opposed the original Bill "to provide a fund for the support of Schools," but all to no purpose, as the modified Bill was rejected in each case. At the meeting to which I have referred, the complainants wholly ignored these proceedings of the House of Assembly, and cast the entire blame for obstructive legislation on the "irresponsible" Legislative Council. And yet, of course, there was truth, abundant truth in the complaint that the Legislative Council did, in these days, from one cause or another, object to much apparently useful legislation which had originated in the House of Assembly. The reason

* A copy of this Petition, and of accompanying letters in regard to it, will be found on pages 94-104 of the Seventh Grievance Report of 1835, under the heading of "Minutes of Evidence taken before the Select Committee on Grievances," etc.

† This letter is appended to the Grievance Report as Document No. 85, pages 279-285.

‡ See page 49 of the First Volume of this Documentary History.

is not far to seek : In the first place, the antagonism in the House of Assembly itself to many of the measures passed by it was known in the Legislative Council, for the Members of the Assembly were by no means a unit as to the necessity, or even desirability, of many of these measures. This fact, no doubt, largely influenced leading Members in the Legislative Council, to defeat such measures when they came before them ; and thus, by this proceeding, they sought to meet the wishes of their friends in the House of Assembly.

Secondly, and probably the most prolific cause of disagreement which led to the rejection of many measures passed by the House of Assembly, was that species of latent, though somewhat intangible, hostility which took a personal form, against measures proposed by individual Members of the House of Assembly,—to defeat which partook of the nature of a personal triumph. No doubt, many of the salutary measures rejected by the Legislative Council were under a ban from the first ; and their rejection may have been due to one or other of the causes named, or a combination of both, and not necessarily to an objection, *per se*, to the measures themselves, on their merits, although in its report on the subject in 1836, the Legislative Council gave its reasons in full for the ejection of specific measures.

Then, it should not be forgotten, that the Legislative Council was being constantly recruited from Members of the House of Assembly, who, no doubt, carried with them feelings of personal antagonism, engendered against their late comrades in this House itself. Another cause of friction was the strong objection which Members of the Assembly had to the presence of high officials, or “place-men,” as they were called, in the Legislative Council. This objection, being often put forth, often offensively, in the public press of the day, reacted upon the Council itself, and, no doubt, led to much of that dignified official hostility which decorously veiled itself in many obstructive forms, in the intercourse which took place between the two Houses.

The rejection of measures by the Legislative Council which had been passed by the House of Assembly was brought under the notice of that House on the 14th of April, 1835, (page 183), and a Select Committee was appointed to enquire into the matter. This the Committee did ; and its Report will be found under the Proceedings of the House of Assembly of the 16th of the same month, page 186.

On the preceding day, (15th of April), another Select Committee, appointed to report upon the Constitution of the Executive and Legislative Councils, brought in a Report, which was adopted, (page 184). In that Report the specific charge was made that certain (enumerated) measures passed by the House of Assembly,—

Have been rejected by the Legislative Council, without amendment ; and the labours of this House,—during a Session which we think we may justly declare has been distinguished for unprecedented diligence and application to public business,—have been almost entirely baffled and rendered useless by the course pursued by the Legislative Council.

As the Legislature was prorogued on the day after this Report was adopted by the House of Assembly, the Legislative Council could not reply to it until the following Session. This the Council did in the Report of a Special Committee, on the 18th of April, 1836. In that Report the whole question is elaborately discussed, and, in the majority of cases, specific reasons are given for dropping, or formally rejecting, individual Bills passed by the House of Assembly. The reasons for so dealing with the Educational Bills will be given in connection with the Bills themselves, which are inserted herewith.

The general reasons given by the Legislative Council for dealing, as alleged, with Bills sent up from the Legislative Council are as follows :

By turning to the Journals of the two Houses, it will be seen that of eighty-five Bills passed by the House of Assembly in 1835, the Legislative Council discussed and decided upon eighty-one,—adopting, rejecting, or amending them, after consideration and debate ; the four which were not thus disposed of having probably not been four hours in possession of the Council, (before prorogation.)

On the other hand, of ten Bills passed by the Legislative Council and sent to the House of Assembly, six received no notice whatever, and were neither discussed nor moved in ; two were rejected and two passed.

Of the eighty-five Bills sent to the Legislative Council, forty-six came up within the last fourteen days of the Session ; while, of the ten Bills sent down from the Legislative Council, there was not one that was not twenty-eight days in the possession of the House of Assembly.

It will be seen, by reference to page 27 of this Volume, that one-third of the Members of the Legislative Council were formerly Members of the House of Assembly, and two of them, the Honourable Messieurs James Crooks and William Morris signed the Report of the Legislative Council on this subject.

One of the Bills rejected by the Legislative Council in the Session of 1835, was one intituled : “ An Act for the Promotion of Education,”—part of the discussion on which is given in the Proceedings of the House of Assembly of the 30th of March, 1835, (See page 177). The reasons for the rejection of this Bill was not given by the Select Committee of the Legislative Council, as they had been previously given in a special Report of the Legislative Council, on the Bill itself, dated the 9th of April, 1835. (See page 198, of this Volume.) The Bill itself is inserted as follows :

REJECTED BILL OF 1835, INTITULED : “ AN ACT TO PROMOTE EDUCATION.”

MOST GRACIOUS SOVEREIGN :

Whereas it is necessary to make more ample provision for the Teachers of Common Schools and to provide means to enable some of the most talented youth in the Province to pursue their studies in the higher Seminaries of learning, which are now, or may hereafter be, established in this Province :

Be it therefore enacted, etc., That the ninth section of an Act passed in the fifty-sixth year of reign of His late Majesty King George the Third, (1816), Chapter 36,* intituled : “ An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the regulation of said Common Schools ” be and the same is hereby repealed.

2. *And be it further enacted*, etc., That it shall and may be lawful for the inhabitant householders of each and every Township in this Province, at the Town-meeting, to be held on the

* A copy of this Act is given on page 103 of the First Volume of this Documentary History.

first Monday of January in each and every, to nominate and appoint three fit and proper persons to be Superintendents of Schools in the Township* for the year in which they shall be so appointed.

3. *And be it further enacted, etc.,* That it shall be the duty of such Superintendents of Schools in the Township to appoint a time and place in the Township, for which they shall have been chosen, where all Scholars are to attend, who may consider themselves to have made such progress in learning as to qualify them to become candidates for the superior Schools; and the said Superintendents of Schools shall, from among the Scholars so assembled, select three of the most talented and promising, who are to be candidates for admittance into the District (Grammar) School, or into such other Seminaries of learning, which are now, or may hereafter be established into this Province.

4. *And be it further enacted, etc.,* That the different Superintendents of Schools in each and every Township, at their first meeting, to be held before the first day of June in each and every year, shall nominate and appoint a fit and proper person to be a Member of the District Board of Education; and that the several Members, hereby appointed in each and every District, shall constitute and form the Board of Education for such District.

5. *And be it further enacted, etc.,* That the Board of Education, hereby established for each and every District of this Province, shall meet on the Monday of the week, in which the Court of General Quarter Sessions for such District is to be held, in the month of July, and at the place where the said Court is to be held; and in the month of June, in such places where the Quarter Sessions is held in June, and, then and there, appoint their Chairman and transact such business as the laws of this Province authorize the present District Boards of Education to do; that three members shall be a quorum, and that such members as attend shall be entitled to ten shillings per diem, provided the number of days of attendance does not exceed three.

6. *And be it further enacted, etc.,* That so soon as the Board of Education in each District shall consider it advisable, they may, before assigning to the Teachers their annual salaries, reserve a sufficient sum for paying the boarding and tuition at the District (Grammar) School, or other Seminary, to be selected by the said District Board, of such select number of scholars from each County, not exceeding eight, as shall be chosen by such members of the District Board of Education, as shall have been appointed in the different Townships of each County.

7. *And be it further enacted, etc.,* That so soon as the Board of Education, in each and every District in this Province, shall find that the state of their funds will admit of it, they may set aside sufficient sum to pay the boarding, tuition and wearing apparel expenses of one, or more, select student, or student's, his or their studies, in the higher Seminaries of learning, such student, or students, to be chosen by such members of the District Board of Education as are appointed by such County.

8. *And be it further enacted, etc.,* That no student either to a District (Grammar) School, or to any other Seminary of learning, shall be recalled in a shorter period than three years, unless such members of the District Board of Education as reside in the County, from which such student shall have been sent, will unanimously agree upon such recall.

9. *And be it further enacted, etc.,* That the Board of Education in each and every District, shall, at its meeting in the months of June and July in each year, appoint a time and place in each County, where all School Masters of such County shall attend, to be publicly examined by the Master of the District (Grammar) School, aided by such Members of the Board of Education as reside in such County.†

10. *And be it further enacted, etc.,* That the Board of Education for each and every District may cause its Clerk to acquaint the School Masters, at least six months previous to examination, of the time and place where such examination will be held, and the particular branches of Education, for which prizes shall be awarded to them.

11. *And be it further enacted, etc.,* That the Teacher who shall be declared to have gained the first prize, shall be entitled to one pound yearly, while teaching, over and above his regular salary; second prize, fifteen shillings per year; third prize, ten shillings per year; the second and third prizes shall be subject to the same condition as the first prize.

12. *And be it further enacted, etc.,* That no Teacher of a Common School shall be entitled to any benefit from the Education Fund, who shall not have attended the County meeting for the examination of School Masters, unless prevented by sickness, to be certified by one of the Trustees of the Common School for which he is the Teacher.

* See remarks, in regard to these Superintendents of Township Schools, on page 33 of this Volume.

† This County Tribunal for the examination of Common School Teachers, was the forerunner of the County Board of Examiners of Teachers, authorized by the Public School Act of 1850, section 28, and that of 1871, section 11.

13. *And be it further enacted, etc.,* That the Master of the District (Grammar) School, and such Members of the District Board of Education, as have attended the County Examination of School Masters, shall be entitled to ten shillings each for every day necessarily employed in the said examination, provided the term of examination does not exceed three days for any one County.

14. *And be it further enacted, etc.,* That for the maintenance and encouragement of Education in this Province, there shall be established a Fund, to be entitled the "Education Fund," which said Fund shall, *firstly*, consist of such sum or sums, as the Legislature shall deem fit to appropriate for the same, from the revenues of the Province; *secondly*, of the interest of the proceeds of the sale of the School Lands, and all interest accruing from the proceeds of all other sales of lands appropriated to Education; and *thirdly*, all such moneys as may be available from the leasing of land for the purposes of Education.

15. *And be it further enacted, etc.,* That all sums of money already paid into the hands of the Receiver-General of this Province, or which shall hereafter be paid to him, as the proceeds of land sold to promote Education, shall, by him, be invested in the purchase of any Government debentures authorized by any Act of the Parliament of this Province, and that the interest, payable upon such debentures, shall continue to be charged to the general revenue of this Province, and shall be annually placed to the credit of the Education Fund, which, by the fourteenth section of this Act, is created.

16. *And be it further enacted, etc.,* That, in aid of the present appropriation for the support of Common Schools in each and every District of this Province, there shall be granted to His Majesty, annually the sum of twelve thousand pounds, (£12,000,) to be distributed among the several Districts of the Province, in the manner hereinafter provided, out of any moneys which are now raised and levied by the authority of Parliament, to and for the uses of this Province.

17. *And be it further enacted, etc.,* That it shall and may be lawful for the Governor, Lieutenant-Governor, or Person administering the Government of this Province, in each and every year, according to the last preceding census of the population of the Province, to apportion the money already granted by the Legislature, or which shall be hereafter be granted, among the several Districts, together with such further sums of money as may be afforded from the Education Fund.

18. *And be it further enacted, etc.,* That it shall and may be lawful for the Governor, Lieutenant-Governor, or Person administering the Government of this Province, on or before the fifteenth of June, in each and every year, to cause to be transmitted to the Clerk of the Board of Education in each and every District, a copy of such Warrant as he shall have issued in favour of the Treasurer of such District, for the payment of the portion assigned to such District out of the Education Fund.

19. *And be it further enacted, etc.,* That it shall be the duty of the Chairman of the Board of Education for each and every District of this Province, to report the state of the District Common Schools to the Governor, Lieutenant-Governor, or Person administering the Government, that the same may be laid before the Legislature at its first meeting thereafter, for their inspection: and that the Chairman shall be entitled to ten shillings per diem, for every day necessarily employed in preparing such Report, provided that such time does not exceed five days.

20. *And be it further enacted, etc.,* That it shall and may be lawful to, and for, the Board of Education in each and every District, to allow to the Clerks of their respective Boards, in addition to the sum they are now by law authorized to receive, the further sum of five pounds, (£5,) annually.

21. *And be it further enacted, etc.,* That the said sum of twelve thousand pounds, (£12,000,) annually shall be paid by the Receiver-General of the Province, in discharge of such Warrant as may for that purpose be issued by the Governor, Lieutenant-Governor, or Person administering the Government of this Province for the time being, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

22. *And be it further enacted, etc.,* That this Act shall not go into operation until the first day of January, which will be in the year of our Lord one thousand eight hundred and thirty-six, (1836).

Passed the Commons House of Assembly, on the 31st day of March, 1835.

M. S. BIDWELL,
Speaker.

CHAPTER XII.

ABORTIVE LEGISLATION IN REGARD TO KING'S COLLEGE, 1835.

As there are several documents which relate to the abortive legislation in regard to King's College in 1835, I place them together with others in this Chapter.

The reasons given by the Legislative Council for dropping, and thus practically rejecting, the Bill modifying the Charter of King's College, passed by the House of Assembly on the 2nd of April, 1835, (see pages 181 and 214 of this Volume,) and sent up to the Council on the same day, are contained in the Report of a Select Committee of the Council, dated the 18th of April, 1836, and are as follows :

A careful examination of the Bill will show how far its provisions are "in conformity with His Majesty's gracious instructions," as the Address (of the House of Assembly to the King) asserts, and how far also they are consistent with the opinions formerly expressed by the House of Assembly.

The 6th, 7th, 9th, 13th, 16th, 20th, 21st, 25th, 26th, 28th and 29th Sections are to be referred to, and carefully considered by any one who desires to form an opinion upon the propriety of passing such a Bill.

If there is in any country, an University resting upon principles similar to those which this Bill would establish, it is not known to this Committee ; and everyone can decide for himself the speculative question how far it would tend to promote the interests of science, to advance religion, morality and social order, and to maintain discipline within the University, and how far it would be likely to add to the harmony and good understanding between the Government and the Legislature, to have an University, of which the principal officers should be appointed and removed by votes of Legislative Assemblies, and of which the interests and affairs must, in consequence, become mixed up with party politics and dissensions ;—a University, of which the Directors are to choose, not only the President, but the Visitor, that is the Superior, by whom they are to be themselves controlled, and in which, above all, as it is expressly declared : "Religion shall not be taught according to the Creed, or Faith, of any Christian Church."

The following is a copy of the Bill, intituled: "An Act to amend the Charter of King's College," passed by the House of Assembly on the 2nd of April, 1835, (page 181,) and dropped, or rejected, by the Legislative Council on the 9th of April, 1835, (page 197 of this Volume) for the reasons given in the foregoing extract from the Report of the Select Committee of the Council on the subject.

A draft of this Bill, as apparently introduced into the House of Assembly by the Select Committee on Education, on the 18th of March, 1835,) is printed in the Appendix to the Journals of that House, and numbered 13. Two hundred copies of the Bill, in draft form, were printed, by order of the House. (See page 168 of this Volume.) The principal changes in the Bill during its passage through the House of Assembly, appear to have been made in section fourteen ; section fifteen is new, and was added to the Bill.

BILL TO AMEND THE CHARTER OF KING'S COLLEGE, 1835.

Whereas His late Majesty, King George the Fourth, was graciously pleased, by Letters Patent, at Westminster, on the fifteenth day of March, 1827, in the Eighth Year of His Reign,

to establish at or near the Town of York, now the City of Toronto, a College, with the style and privileges of an University, for the education and instruction of youth, and students in Arts and Faculties, to be called "King's College," which Charter, so granted is as follows :

(NOTE.—A copy of the Charter, as set forth in this Preamble, will be found on pages 222-225 of the First Volume of this Documentary History. The Bill, as passed by the House of Assembly, then proceeds :)

And whereas His present Majesty, King William the Fourth, has been graciously pleased to signify, through His Majesty's Principal Secretary of State for the Colonies, Earl Ripon, by his Despatch of the 8th of November, 1832, communicated to the Legislature by His Excellency, by Message, that, so far from any anxiety having been felt by His Majesty's Government to maintain the said Charter against the wishes of the great majority of the people, every possible measure has been taken to refer to their Representatives the decision of the question in what form, and upon what principles, the said College should be founded.

Be it therefore enacted, etc., That from, and after, the passing of this Act, the said University shall be upon the principle, and in the form hereinafter provided, anything in the said Charter to the contrary notwithstanding :

Provided always, That the said Charter shall be and continue in full force, except so far as it is altered and varied by the provisions of this Act.

2. *And be it*, etc., That from, and after, the passing of this Act, it shall not be necessary for the President of the said University to be a Clergyman in Holy Orders of the United Church of England and Ireland, anything in the said Charter to the contrary notwithstanding.

3. *And be it*, etc., That from, and after, the passing of this Act, the Archdeacon of York, now the City of Toronto, for the time being, shall not, by virtue of his office of Archdeacon, be at all times President of the said University, anything in the said Charter to the contrary notwithstanding.

4. *And be it*, etc., That from, and after, the passing of this Act, the Professors of the said College and the Council thereof, shall not be required to be Members of the said Established United Church, or to subscribe the thirty-nine Articles thereof, anything in the Charter to the contrary notwithstanding.

5. *And be it*, etc., That there be, at all times, as many Professors, Tutors, and Lecturers, in the different Arts and Faculties in the said College as, from time to time, shall be deemed necessary, or expedient, and as shall be appointed in the manner hereinafter provided, and in no other manner, anything in the said Charter to the contrary notwithstanding.

6. *And be it*, etc., That there shall be within the said College, in the place and stead of the Council in the said Charter mentioned, a Council to be called and known by the name of the "Council of King's College," which Council shall consist of twelve persons,—one-half of the number of which persons shall be nominated by the Legislative Council, and the other half by the House of Assembly ; which persons, so nominated, shall be certified by the respective Houses to the Governor, Lieutenant-Governor, or Person administering the Government, for the time being, and shall hold their offices for four years from the day of such nomination, and thence until the next Session of the Provincial Parliament, and no longer.

7. *And be it*, etc., That, if any member of the said Council shall die, or shall be suspended, or removed from his said office, or shall, by reason of any bodily, or mental, infirmity, or by reason of his absence from the said Province, become incapable for six calendar months, or upwards, of attending the meeting of the said Council, then, and in every such case, a fit and proper person shall be appointed by the rest of the said Council to act, and be, as a Member of the said Council, in the place and stead of the Member so dying, or so suspended, or removed, or incapacitated, as aforesaid, and the appointment of such new Member of the said Council shall be communicated to the Provincial Legislature through the Governor, Lieutenant-Governor, or Person administering the Government for the time being, at their next Session, and it shall and may be lawful for that Branch of the Legislature, by which the person so dying, or suspended, or removed, or incapacitated, as aforesaid, was appointed, either to confirm the said temporary appointment made by the said Council, as aforesaid, or to appoint another, as such Branch of the Legislature shall think fit.

8. *And be it*, etc., That no meeting of the Council shall be taken, or held, to be a lawful meeting thereof, nor any question be taken except to adjourn, unless nine Members, at the least, be present, and that all questions and resolutions proposed for the decision of such College Council, shall be determined by the majority of the Members of the Council present, including the vote of the presiding Member, and that, in the event of an equal division of such votes, the Member presiding at any such meeting shall give an additional, or casting vote.

9. *And be it, etc.*, That any Member of the said Council may, at any time, be suspended, or removed by a joint resolution of the two Branches of the Provincial Legislature.

10. *And be it, etc.*, That it shall and may be lawful for the said Council of the said College, from time to time, to nominate and elect so many Professors, Tutors and Lecturers in the several Arts, Sciences, and matters of learning, as shall to them seem fit and necessary, for the system of Education in the said College.

11. *And be it, etc.*, That the President, Professors, Tutors, Lecturers, Graduates, Undergraduates, Scholars, Officers and Servants of the said College, and every person holding any situation of honour or trust in the same, shall be subject to all and every of the rules and ordinances of the said College made and provided according to this Act.

12. *And be it, etc.*, That the said Council of said College shall have power and authority to propose, frame and make rules and ordinances touching and concerning the peace, welfare and good government of the said College, the studies, lectures, exercises, and degrees in Arts and Faculties, and all matters relating to the same; the duties of the President of the said College; the number, remuneration and duties of the Professors, Tutors and Lecturers thereof; the management of the revenues and property of the said College; the salaries, stipends, provision and emoluments of and for the President, Professors, Tutors, Lecturers, Scholars, Officers and Servants thereof; the number and duties of such Officers and Servants; and also touching and concerning any other matter or thing which to them shall seem good, fit and useful for the well-being and advancement of the said College; and also, from time to time, by any new rules or ordinances, to revoke, renew, augment, or alter, all, every, or any of the said rules and ordinances as to them shall seem meet and expedient; *Provided always*, That the said rules and ordinances, or any of them, shall not be repugnant to the Laws and Statutes of the said Province of Upper Canada, or to this Act; *Provided also*, That the said rules and ordinances shall be subject to the approbation of the Chancellor of the said College for the time being, and shall be forthwith transmitted to the said Chancellor for that purpose, anything in the said Charter to the contrary notwithstanding.

13. *And be it, etc.*, That no religious test or qualification whatever shall be required of, or appointed for, any persons admitted, or matriculated, as Scholars within the said College, or of persons admitted to any degree in any Art or Faculty therein, whether such degree be conferred in Law, Physic, or other Art, or Science; anything in the said Charter to the contrary notwithstanding.

14. *And be it, etc.*, That the Members of the said Council, and their successors forever, shall be one distinct and separate body politic and corporate, in deed and in name, by the name and style of "King's College," and that, by the same name, they shall have perpetual succession and a common seal; and that they and their successors shall, from time to time, have full power to alter, renew, or change such common seal at their will and pleasure, as shall be found convenient; and that, by the same name, they, the said Council, and their successors, from time to time, and at all times hereafter, shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain to, and for, the use of the said College, any messuages, lands, tenements and hereditaments of whatever kind, nature, or quality soever, situate and being within the said Province of Upper Canada, and, moreover, to take, purchase, acquire, have, hold, enjoy, receive, possess and retain all or any goods, chattels, charities, or other contributions, gifts, or benefactions, whatsoever; and that the said Council and their successors, by the same name, shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered, in all, or any Court, or Courts, of Record within the said Province of Upper Canada in all and singular actions, causes, pleas, suits, matters and demands whatsoever, of what nature or kind soever, in as large, ample and beneficial a manner and form as any other body politic or corporate, or any other persons able and capable in law may or can sue, implead, or answer, or be sued, impleaded or answered in any manner whatsoever; anything in the said Charter to the contrary notwithstanding.

15. *And be it, etc.*, That all moneys received by the said Corporation from the sale of any goods or lands, or for grants from the Crown or Legislature, or contributions, gifts or benefactions whatsoever, shall be invested by the said Council so as to produce an annual income arising therefrom; and no more shall be expended by the said Council in furtherance of the objects of the said Corporation; and *Provided always*, That whenever the annual income aforesaid, together with such sum or sums as may accrue from the leasing of any of the lands with which the said College has been, or may be, endowed, shall exceed six thousand pounds, (£6,000,) over and above scholarships, the surplus, over and above the said sum of six thousand pounds, (£6,000,) shall be paid into the hands of His Majesty's Receiver-General of this Province, to be at the disposal of the Legislature for the promotion of Education, by the erecting and endowing of Free Grammar Schools in the several Districts in this Province.

16. *And be it, etc.*, That it shall and may be lawful for the Council of the said University to suspend from his office the President, or any of the Professors, Tutors, or Lecturers, or any Member of the said Council, who shall be incapacitated by bodily infirmity, or for any other just and reasonable cause to the said Council appearing ; *Provided always*, That the grounds of every such suspension shall be recorded in writing and verified on oath of two or more credible and disinterested witnesses, and shall be entered and recorded at length on the Journals of the said Council, and be signed by the Chancellor, or President, of the said Council.

17. *And be it, etc.*, That every person so suspended shall thereupon cease to be a Member of such Council, or President of the said University, or a Professor, Tutor, or Lecturer within the same, as the case may be, unless and until he shall be restored to, and re-established in such, his station therein, by any order to be made in the premises by that branch of the Legislature by which such Member was appointed.

18. *And be it, etc.*, That it shall and may be lawful for the Council of the said College, from time to time, to establish scholarships in the said College for the benefit of the pupils of the District (Grammar) Schools in this Province ; *Provided always*, That the amount of each scholarship shall not exceed the annual value of fifty pounds, (£50,) per annum.

19. *And be it, etc.*, That it shall and may be lawful for the said College Council, and all persons whatsoever attached to the said College, and they are hereby required, at all times, without reserve, to lay before the several branches of the Legislature of this Province whatever information shall be by them, or either of them, from time to time, required, relating in any way whatever to the said College and the concerns thereof.

20. *And be it, etc.*, That whenever any rule or rules, ordinance, or ordinances, shall be passed by the said Council, as aforesaid, containing any provisions which shall in any manner relate to, or affect the enjoyment, or exercise, by the Professors, Tutors, Lecturers, Scholars, Graduates, Undergraduates, Students, Servants, or others whomsoever connected with the said College, or any religious form, or mode of worship, or in any way whatever prevent, or restrain, them, or any of them, from attending on the Sabbath whatever place of religious worship they choose, or shall impose or create any penalties, burthens, disabilities, or disqualifications, or confer any peculiar or exclusive favours or privileges in respect of the same, or shall, in any manner, relate to or affect the observance of any rules or discipline appertaining to any Church, or Society of Christians, to which any of the persons aforesaid may belong ; every such rule or rules, ordinance or ordinances, shall not have any force or effect whatever until the same shall have been laid before the three Branches of the Provincial Legislature, and shall, after having been so laid before them, and each of them, for the space of ten days, receive the sanction thereof.

21. *And be it, etc.*, That it shall and may be lawful for the said Council, and they are hereby required to meet in the said College at Toronto, and for the periods following, namely, commencing eight days previous to the meeting of the Legislature in each and every year, and ending on the eighth day following the said meeting of the Legislature ; at which stated time, and at no other, it shall and may be lawful for the said Council to do, perform, and execute, all the duties and trusts imposed by this Act, or by any rule, or ordinance, of the said College, made under, and by virtue of, this Act.

22. *And be it, etc.*, That it shall and may be lawful for each of the Members of the said Council, while in the active discharge of his said duties, at the periods aforesaid to have and receive from and out of the funds of the said College, the sum of ten shillings lawful money of Upper Canada, and no more, for every day's actual attendance, during the said weeks, and the like sum for every twenty miles in travelling to the said College and returning therefrom to his place of residence.

23. *And be it, etc.*, That it shall and may be lawful for any Member of the said Council to tender his resignation during any Session of the Provincial Legislature, to that Branch thereof, by which he was nominated and appointed, and, upon the acceptance of such resignation, such person shall cease to be a Member of such Council ; and it shall, thereupon, be lawful for the said Branch of the Provincial Legislature, accepting such resignation, forthwith to nominate and appoint another person to be a Member of the said Council, in the place and stead of the person so resigning, as aforesaid.

24. *And be it, etc.*, That, if any Professor, Tutor, Lecturer, or other person elected by the said Council, to any Professorship, Tutorship, Lectureship, or other station in the said College, shall die in the interval between the annual meetings of the said Council, it shall and may be lawful for the various Professors, Tutors and Lecturers who have been elected by the said Council, to appoint a fit and proper person to discharge the duties of the said Professor, Tutor, or Lecturer, so deceased, until the next meeting of the said Council, and no longer.

25. *And be it, etc.*, That it shall and may be lawful for the said Council, at their appointed meetings, and they are hereby required to keep at each such meeting, a journal of their proceedings, specifying the day and hour of assembling, the names of members of the Council in attendance, the resolutions and matters proposed, with the names of the members voting for, and against, each resolution and matter, whether the same be rejected, or adopted, by the said Council, which record, or journal, of the said proceedings of the said Council shall, at all reasonable times, be open at the said College, to inspection of the Visitor, Chancellor, and other Members of the said College, and shall be laid before the several Branches of the Provincial Legislature whenever by them, or either of them, it is required so to be done.

26. *And be it, etc.*, That no religious test, or qualification, whatever, shall be required of any Chancellor, President, Professor, Tutor, Lecturer, Scholar, or other person, being a candidate for any situation, or honour, in the said College; nor shall the eligibility of any person to any of the aforesaid stations in the said College, or to any other station that may hereafter be created, be in any way, or degree, dependent upon, or regulated, affected or prejudiced, by the particular faith of any such candidate; any thing in the said Charter to the contrary notwithstanding.

27. *And be it, etc.*, That from and after the passing of this Act, there shall not, at any time, be, or be allowed to be within the said College, any public Professor, Lecturer, or Teacher, of doctrinal divinity, according to the articles of faith professed by the United Church of England and Ireland, or according to the creed or faith of any other Christian, or other religious Church whatever, anything in the said Charter to the contrary, in any wise, notwithstanding; and it shall not be lawful for the said Council to apply any of the funds now, or at any time hereafter, belonging to the said University, to the support of any public Professor, Lecturer, or Teacher, of such divinity: *Provided always*, That nothing in this Act shall extend, or be construed to extend, to prevent the students and Members of the said University, by themselves, or their parents, guardians, or friends from engaging private Tutors for their private instruction in divinity, or in other art, or science, within the said College.

28. *And be it, etc.*, That it shall and may be lawful for any Member of the said Council to administer any oath required by this Act, and any person convicted before any court of competent jurisdiction in this Province, of wilful and corrupt false swearing, under any oath administered as aforesaid, shall be deemed and taken to be guilty of perjury, and shall be liable to the like punishment as can be inflicted by the laws of this Province for perjury.

29. *And be it, etc.*, That, upon a vacancy occurring in the office of the President of the said College by the death, or resignation of the present President thereof, the said situation shall be filled, in all times to come, by the Council of the said College, anything in the Charter of the said College to the contrary thereof, in any wise, notwithstanding.

30. *And be it, etc.*, That the Visitor of said College shall be appointed by the Council thereof; anything in the said Charter to the contrary notwithstanding.

This Bill passed the Commons House of Assembly on the 2nd day of April, 1835.

MARSHAL S. BIDWELL,
Speaker.

On the question for passing this Bill, the yeas and nays were taken as follows: Yeas, 33; Nays, 5, (Messieurs Ogle R. Gowan, Allan N. Macnab, Charles Richardson, William B. Robinson, and John A. Wilkinson), majority in favour of the Bill, 28.

THE COLONIAL SECRETARY, (LORD GLENELG,) ON THE KING'S COLLEGE CHARTER AMENDMENT BILL, WHICH FAILED TO BECOME LAW IN 1835.

The Lieutenant-Governor having, on the 6th of May, 1835, sent to the Colonial Secretary a copy of this King's College Charter Amendment Bill, as passed by the House of Assembly, the Secretary replied, under date of the 17th of June, 1835, in the following Despatch:

I have received your Despatch, dated the 6th May last, enclosing the copy of a Bill for amending the Charter of King's College, Upper Canada, which was passed by the House of Assembly and rejected by the Legislative Council in their last session. You express your persuasion that no law for the amendment of the College Charter will be enacted by the Provincial Legislature; but state that you "entertain no doubt that the existing Charter may be so modified by the interposition of His Majesty's Government, as to leave, in essential points, no just grounds for dissatisfaction on the part of either House." You state that you have informed the

Legislative Council and House of Assembly, that you would strongly recommend to His Majesty's Government to sanction the opening of King's College, and express your hope that the course which you have suggested may be adopted.*

As I find it impossible to act upon the recommendation which you have thus tendered to His Majesty's Ministers, I think I shall best discharge my duty by announcing to you that decision without delay or hesitation.

I am not aware what may be the grounds on which you anticipate the acquiescence of the House of Assembly in such an amended Charter as you have proposed; on the other hand, the reasons for apprehending their strenuous resistance are obvious, and to me, at least, appear conclusive.

First : Your plan departs in every one essential particular from that which the House of Assembly, in their last session, sanctioned by their votes. It is not likely they would be satisfied to have their judgment overruled by the direct interposition of the Royal authority.

Secondly : The Earl of Ripon, (lately Lord Goderich,) referred the matter to the discretion of the Provincial Legislature. They would scarcely otherwise than be displeased with the retraction of His Lordship's order.

Thirdly : The decision of such a question by His Majesty's advisers in this Kingdom, would be condemned with plausibility, and not indeed without justice, as a needless interference in the internal affairs of the Province.

Finally : The supposed amendments, even if they had not been preceded by any controversy, or debate, on the subject, could hardly fail to give umbrage to the House of Assembly. Without, of course, claiming a very intimate acquaintance with the state of public opinion in Upper Canada, but chiefly adverting to the accounts which have reached me through the public journals, of the proceedings of the Assembly in their last session, (and, except from those journals, I am without the means of forming such a judgment,) I should think it impossible that the scheme which you have proposed could ever be carried into execution. It is contrary to the whole tenor of the recent resolutions of the Representatives of the people (of Upper Canada) to suppose that they would acquiesce in giving to the Church of England, permanently, so many as five members in the governing body of the College, of which, according to your plan, the entire number would only be seven; especially when the Lieutenant-Governor of the Province is to occupy one of the two remaining seats, and Archdeacon Strachan is, for the present at least, to fill the seventh. The magnitude of this trust is enhanced by the consideration that it is proposed to place under the control of the Council, the management of all the revenue and expenditure of the College, and the establishment of all rules for granting Degrees in Divinity, while to His Majesty is confided the making of all such rules as are to regulate the education of the pupils. I cannot hesitate to express my opinion that this plan claims for the Established Church of England, privileges which those, who best understand and most deeply prize her real interests, would not think it prudent to assert for her in any British Province on the North American Continent.

It is with the most lively regret that I have heard of the dissensions on this subject, between the Legislative Council and the House of Assembly.† I would respectfully and earnestly impress upon the Members of both those Bodies, the expediency of endeavouring, by mutual concessions, to meet on some common ground. Especially, would I beg the Legislative Councillors to remember that, if there be any one subject on which, more than others, it is vain and dangerous to oppose the deliberate wishes of the great mass of the people, the system of national instruction, to be pursued in the moral and religious education of youth, is emphatically that subject. It remains for me only to acquaint you that His Majesty refers back again to the House of Assembly and Legislative Council, the consideration of the subject of amending the Charter of King's College. If there should prevail between those Bodies an irreconcilable difference of opinion, and, if they should concur in addressing His Majesty to assume the decision of the controversy, His Majesty will be most happy to interpose as a mediator for the adjustment of the question, upon such principles as appear to him best adapted for promoting the general interests of all classes of his subjects in the Province, and in a manner the most consonant with the general views and feelings of the inhabitants at large. Except in compliance with such a joint application, His Majesty will not think it expedient to resume the decision of a question which, by His Majesty's commands, Lord Ripon referred to the judgment of the Provincial Legislature.

GLENELG.

DOWNING STREET, 17th June, 1835.

* See page 201 of this Volume.

† See page 204 of this Volume.

THE REVEREND DOCTOR STRACHAN'S REVIEW OF THE UPPER CANADA
UNIVERSITY LEGISLATION OF 1829-1831.

In his Address at the opening of King's College, on the 8th of June, 1843, the Reverend Doctor Strachan thus continued his review of the proceedings of the Upper Canada Legislature in regard to King's College :*

In his speech to the Legislature on the 8th of January, 1829, Sir John Colborne notices the University very slightly, and only in connection with Upper Canada College;† but, even this, was enough to awaken turbulent spirits; and, on the 30th of March of that year, the House passed various resolutions modifying the Charter, and presented them, with an Address, to the Lieutenant-Governor, to which His Excellency promised his ready attention.

No further proceedings appear to have been had regarding the University, until the Sessions of 1831 and 1832, when another Address to the King was adopted, bearing date the 28th of December, 1831; (page 52 of this Volume,) praying that the Charter of King's College might be cancelled, on account of its exclusiveness, and another granted, more open in its provisions. On the 4th of January, 1832, (page 53,) his Excellency replied :

That he has reason to believe that, either the exclusive privileges considered exceptionable in the Charter of King's College have been cancelled, or that such arrangements have been decided upon by His Majesty's Government as will render further application on this subject unnecessary; but that a Charter solemnly given, cannot be revoked, or its surrender obtained, without much delay.

This language evidently alluded to a Despatch from Lord Goderich, (now Lord Ripon,) of the 2nd of November, 1831, (page 55,) which was soon laid before the College Council, proposing to the Members of the Corporation to surrender the Charter granted by the Imperial Government, together with the endowment, on the assurance from the Secretary of State for the Colonies that no part of the endowment should ever be diverted from the education of youth.

In an able Report, the College Council stated their reasons for refusing compliance with this extraordinary request, and that they did not think it right to concur in surrendering the Charter of King's College, or its endowment. The College Council further observed, that they did not feel, or profess to feel, a sufficient assurance, that, after they had consented to destroy a College founded by their Sovereign, under as unrestricted and open a Charter as had ever passed the Great Seal of England, for a similar purpose, the different branches of the Legislature would be able to concur in establishing another that would equally secure to the inhabitants of the Colony, through successive generations, the possession of a seat of learning, in which sound religious instruction should be dispensed, and at which care should be taken to guard against those occasions of instability, dissension and confusion, the foresight of which had led, in our present state, to the making a uniformity of religion in each University throughout the Empire, an indispensable feature of its constitution. The Report proceeded to say :

"If the objections entertained by the College Council against the surrender of the Charter were not insurmountable, no stronger inducement could be offered than the request which his Lordship's Despatch conveys; for the Council cannot fail to be sensible, that such a request can have been dictated only by a supposed necessity for departing from established principles, in order to promote the peace and contentment of the Colony.

"With the opinions, however, which the Council entertain, and with the opportunity of forming those opinions, which their residence in the Colony affords them, they could never stand excused to themselves, or to others, if they should surrender the Charter, supposing it to be within their power, so long as there is an utter uncertainty as to the measures that would follow.

"The moral and religious state of more than three hundred thousand, (300 000,) British subjects is at present involved in the proper disposal of these questions; and, before many years will have elapsed, more than a million, (1,000,000,) will be affected by them. The Council therefore, whatever results may be obtained by other means, could not justify to themselves the assuming of the responsibility of endangering the very existence of the Institution. They feel bound to look beyond the movements and discussions of the passing moment, and could not, even if they concurred in the views of the present expediency, consent to pull down the only foundation, which at present exists in Upper Canada, for the advancement of religion and learning upon a system, which has not yet been repudiated by the Government in any part of Her Majesty's dominions."

*The former parts of this "Review of University Legislation," by Doctor Strachan, will be found on pages 253, 254 and 258 of the First Volume of this Documentary History.

† *Ibid*, page 259.

The College Council then proceeded to state that, for the sake of peace, they were disposed to concur in some such modifications, as have been since forced on the Institution by the Legislature [in 1837]; not that they considered them improvements, but because the Government seemed to give them countenance; it being their conviction that a College for the education of youth in the principles of the Christian religion, as well as in Literature and the Sciences, is less likely to be useful, and to acquire a lasting and deserved popularity, if its religious character is left to the discretion of individuals, and to the chance of events, and suffered to remain the subject of unchristian intrigues and dissensions, than if it is laid broadly and firmly on its foundation, by an authority that cannot, with any reason, be questioned. . . . (Pages 42-45).

ADVERSE COMMENT ON THIS PROCEEDING AND REFUSAL OF THE COLLEGE COUNCIL.

In a pamphlet published in 1844* by Mr. John Macara, on the "Origin, History and Management of the University of King's College, Toronto," he thus refers historically to the proceedings of the Lieutenant-Governor in the matter, and to the refusal of the Council of King's College to surrender the King's College Charter of 1827:

Before the opening of the next Session, Sir John Colborne applied himself with energy, in obedience to the instructions which he had received from His Majesty's Ministers, to effect a modification of the Charter. Anxious still that this should be done with the friendly co-operation of the College Council, and, aware that, without that co-operation, any attempt to liberalize the Institution would be defeated in the Legislative Council, he renewed his urgent entreaties to have the Charter surrendered. His exertion, however, having proved unavailing, he was, at length, compelled to suspend the operations of the Charter,† and to direct his energies to such ameliorations in the defective system of Education, which then prevailed in the Province, as would best remedy the evils which the obstinate conduct of the College Council might inflict upon the country, etc. (Page 36.)

Mr. Macara then proceeds in a caustic strain to comment on the further proceedings of the College Council in regard to King's College, and of the Reverend Doctor Strachan in particular. In the light of to-day, and of the explanations which were given, in regard to these proceedings, such comments were scarcely just, and the narrative of these proceedings themselves, as detailed by Mr. Macara, was too highly coloured by him.

"THE CHARTER OF THE UNIVERSITY OF KING'S COLLEGE, UPPER CANADA; AS AMENDED," AND AS LIKELY SUGGESTED IN HIS DESPATCH TO THE COLONIAL SECRETARY, BY SIR JOHN COLBORNE.

Such is the title of an old printed pamphlet, which I have in my possession. It is without date, but, from its style, and the kind of type used in its printing, it must have been prepared about the year 1835. It was printed in Toronto, "by R. Stanton, Printer to the King's Most Excellent Majesty." It provides for the incorporation of Upper Canada College with the University, as an appendage to it. This was suggested in a Report of the House of Assembly in 1832; see pages 77 and 97. It declares that the Judges of the Court of King's Bench shall be Visitors; Sir

* In the First Volume of this History, page 254, I have already quoted from this Pamphlet—the date of which is incorrectly printed there as 1854, instead of 1844. It is of too partisan a character to be entirely trustworthy; but its historical facts are of course correct.

† In reference to this suspension of the Charter of King's College, Sir George Murray, in 1831, then Colonial Secretary, said: "While I was in office, I suspended the operations of the Charter, having it in contemplation to abolish entirely the distinction [in the Charter on the score of religion]; and, had I remained in office, I should certainly have done so." Macara's Pamphlet on the Origin, etc., of King's College, etc., page 41.)

John Colborne, Chancellor; the Reverend Doctor Strachan, first President; the Principal of Upper Canada College, and the Speaker of the House of Assembly, to be Members of the College Council, and the Reverend Doctor Joseph Harris, to be first Principal of Upper Canada College. It bears internal evidence of being the modified Charter, proposed to the Colonial Secretary by Sir John Colborne, in his Despatch of the 6th of May, 1835. (See page 213.) The following is a copy of it:

George the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, etc., to all to whom these presents shall come. Greeting:

1. WHEREAS the establishment of two Colleges, within Our Province of Upper Canada, in North America, for the Education of Youth in the Principles of the Christian Religion, and for their Instruction in the various branches of Science and Literature which are taught in Our Universities in this Kingdom, would greatly conduce to the welfare of Our said Province;

AND WHEREAS humble application hath been made to Us by many of Our loving subjects in Our said Province, that We would be pleased to grant Our Royal Charter for the more perfect establishment of two Colleges therein, and for Incorporating the Members thereof for the purposes aforesaid;

2. Now Know Ye, that We, having taken the premises into Our Royal Consideration, and duly weighing the great utility and importance of such an Institution, have, of Our special grace, certain Knowledge, and mere motion, ordained and granted, and do by these presents, for Us, Our Heirs and Successors, ordain and grant, that there shall be established at or near Our Town of York, in Our said Province of Upper Canada, from this time two Colleges, with the style and privileges of an University, as hereinafter directed for the education and instruction of Youth, and Students in Arts and Faculties, to continue forever; one to be called "KING'S COLLEGE," and the other for the education of Youth, as hereinafter directed, to continue forever, and to be called "UPPER CANADA COLLEGE."

3. And We do hereby declare and grant that Our Court of King's Bench in and for said Province shall for Us and on Our behalf be Visitor of the said College; and that Our trusty and well-beloved Sir JOHN COLBORNE, Our Lieutenant-Governor of Our said Province, or the Governor, Lieutenant-Governor, or other Person administering the government of the said Province for the time being, shall be the Chancellor of Our said King's College.

4. And We do hereby declare, ordain and grant that there shall, at all times, be one President of Our said King's College, and one Principal of Our said Upper Canada College, who shall be appointed by Us, Our Heirs and Successors; and that there shall be such and so many Professors in different Arts and Faculties within Our said King's College, as, from time to time, shall be deemed necessary or expedient, and as shall be appointed by Us, or by the Chancellor of Our said King's College, in Our behalf, and during Our pleasure.

5. And We do hereby grant and ordain that the Reverend JOHN STRACHAN, Doctor in Divinity, Archdeacon of York, in Our said Province of Upper Canada, shall be the First President of Our said College.

6. And We do hereby, for Us, Our Heirs and Successors, will, ordain and grant, that the said Chancellor and President, and the said Professors of Our said King's College, and all persons who shall be duly matriculated into and admitted as scholars of Our said College and their successors forever, shall be one distinct and separate body politic and corporate in deed and in name, by the name and style of "The Chancellor, President and Scholars of King's College at York, in the Province of Upper Canada," and that by the same name they shall have perpetual succession and a Common Seal, and that they and their successors shall, from time to time, have full power to alter, renew or change such Common Seal, at their will and pleasure, and as shall be found convenient; and that by the same name they the said Chancellor, President and Scholars, and their Successors from time to time, and at all times hereafter, shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain, to and for the use of the said College, any messuages, lands, tenements and hereditaments of what kind, nature or quality soever, situate and being within Our said Province of Upper Canada, so as the same do not exceed in yearly value, the sum of Fifteen Thousand Pounds, (£15,000,) Sterling, above all charges; and moreover, to take, purchase, acquire, have, hold, enjoy, receive, possess and retain, all or any goods, chattels, charitable or other contributions, gifts or benefactions whatsoever.

7. And We do hereby declare and grant that the said Chancellor, President and Scholars, and their Successors by the same name, shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer or be answered, in all or any Court or Courts of Record

within Our United Kingdom of Great Britain and Ireland, and Our said Province of Upper Canada, and other Our dominions, in all and singular actions, causes, pleas, suits, matters and demands whatsoever, of what nature or kind soever, in as large, ample, and beneficial a manner and form as any other body politic and corporate, or any other Our liege subjects, being persons able and capable in law, may or can sue, implead or answer, or be sued, impleaded or answered, in any manner whatsoever.

8. *And We do hereby declare*, ordain and grant that there shall be within Our said College or Corporation a Council to be called and known as "The College Council," and we do will and ordain that the said Council shall consist of the Chancellor and President for the time being, and of the Principal of Upper Canada College, and of the Speaker of the House of Assembly, and of five of the Professors in Arts and Faculties of Our said College; and that such five Professors shall be members of the Established United Church of England and Ireland; and in case, at any time, there should not be within Our said King's College five Professors of Arts and Faculties, being members of the Established Church aforesaid, then Our will and pleasure is, and We do hereby grant and ordain, that the said College Council shall be filled up to the requisite number of five, exclusive of the Chancellor and President for the time being, by such persons being Graduates of Our said King's College aforesaid, as shall for that purpose, be appointed by the Chancellor for the time being, of Our said College.

9. *And, whereas*, it is necessary to make provision for the completion and filling up of the said Council at the first institution of Our said College and previously to the appointment of any Professors or the conferring of any Degrees therein; now

10. *We do further ordain and declare*, that the Chancellor of Our said College for the time being shall, upon or immediately after the first institution thereof, by Warrant, under his hand, nominate and appoint seven discreet and proper persons, resident within Our said Province of Upper Canada, to constitute jointly with him, the said Chancellor, and the President of Our said College for the time being, the first or original Council of Our said College.

11. *And We do further declare and grant* that the members of the said College Council, holding within Our said King's College the offices of Chancellor, President or Professor in any Art or Faculty, shall, respectively, hold their seats in the said Council, so long as they and each of them shall retain such their offices aforesaid and no longer; and that the members of said Council not holding office in Our said College, shall, from time to time, vacate their seats in the said Council, when and as soon as there shall be an adequate number of Professors in Our said College to fill up the said Council to the requisite number before mentioned.

12. *And We do hereby authorize and empower* the Chancellor, for the time being, of Our said College to decide in each case, what particular member of the said Council not holding any such office as aforesaid, shall vacate his seat in the said Council, upon the admission of any new member of Council holding any such office.

13. *And We do hereby declare and grant* that the Chancellor, for the time being, of Our said College shall preside at all meetings of the said College Council, which he may deem it proper or convenient to attend; and that, in his absence, the President of Our said College shall preside at all such meetings; and that, in the absence of the said President, the Senior member of the said Council, present at any such meeting shall preside thereat; and that the seniority of the members of the said Council, other than the Chancellor and President, shall be regulated according to the date of their respective appointments. Provided always, that the members of the said College, being Professors in Our said College, shall, in the said Council, take precedence over and be considered as seniors to the members thereof not being Professors in Our said College.

14. *And We do ordain and declare* that no meeting of the said Council shall be, or be held to be, a lawful meeting thereof, unless five members, at the least, be present during the whole of every such meeting; and that all questions and resolutions proposed for the decision of the said College Council, shall be determined by the majority of the votes of the members of the Council present, including the vote of the presiding member; and that, in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional or casting vote.

15. *And We do further declare* that if any member of the said Council shall die or resign his seat in the said Council, or shall be suspended or removed from the same, or shall, by reason of any bodily or mental infirmity, or by reason of his absence from the said Province, become incapable for three calendar months or upwards, of attending the meetings of the said Council; then and in every such case, a fit and proper person shall be appointed by the said Chancellor to act as, and be, a member of the said Council in the place and stead of the member so dying or resigning, or so suspended or removed or incapacitated, as aforesaid; and such new member succeeding to any member, so suspended or incapacitated, shall vacate such his office, on the removal of any such suspension, or at the termination of any such incapacity as aforesaid, of his immediate predecessor in the said Council.

16. *And We do further ordain and grant* that it shall and may be competent for the Chancellor, for the time being, of Our said College, to suspend from his seat in the said Council any member thereof for any just and reasonable cause to the said Chancellor appearing. Provided that the grounds of every such suspension shall be entered and recorded at length by the said Chancellor in the books of the said Council and signed by him. And every person so suspended shall thereupon cease to be a member of the said Council, unless and until he shall be restored to, and reëstablished in, such his station therein by any order to be made in the premises by Us or by the said Visitor of Our College, acting on Our behalf and in pursuance of any special reference from Us.

17. *And We do further declare* that any member of the said Council, who, without sufficient cause, to be allowed by the said Chancellor, by an order entered for the purpose on the books of the said Council, shall absent himself from all the meetings thereof, which may be held within any six successive calendar months, shall, thereupon, vacate such his seat in the said Council.

18. *And We do further ordain and grant* that the said Council of King's College shall have power and authority, from time to time, to establish Scholarships in the said College, for the benefit of the pupils of Upper Canada College, of District Schools or any School whatever established in the said Province.

19. *And We do by these presents, for Us, Our Heirs and Successors, will, ordain and grant* that the said Council of Our College shall have power and authority to frame and make statutes, rules and ordinances, touching and concerning, the good government of the said College, the performance of Divine service therein, the studies, lectures, exercises, Degrees in Arts and Faculties, and all matters regarding the same, the residence and duties of the President of Our said College; the number, residence and duties of the Professors thereof, the management of the revenues and property of Our said College; the salaries, stipends, provision, and emoluments of, and for, the President, Professors, Scholars, Officers and Servants thereof; the number and duties of such Officers and Servants; and also touching and concerning any other matter or thing which to them shall seem good, fit and useful for the well-being and advancement of Our said College, and agreeable to this Our Charter. And also, from time to time, by any new Statutes, rules and ordinances, to revoke, renew, augment or alter, all, every, or any of the said statutes, rules and ordinances, as to them shall seem meet and expedient. *Provided always* that the said statutes, rules and ordinances, or any of them, shall not be repugnant to the laws and statutes of the United Kingdoms of Great Britain and Ireland, or to this Our Charter. *Provided also* that the said statutes, rules and ordinances, shall be subject to the approbation of the said Visitor of Our said College; and shall be forthwith transmitted to the said Visitor for that purpose: And that in case the said Visitor shall for Us and on Our behalf in writing signify their disapprobation thereof, within two years of the time of their being so made and framed, the same or such part thereof as shall be so disapproved of by the said Visitor, shall, from the time of such disapprobation being made known to the said Chancellor of Our said College, be utterly void and of no effect, but, otherwise, shall be and remain in full force and virtue.

20. *Provided, nevertheless, and We do hereby expressly save and reserve to Us, Our Heirs and Successors, the power of reviewing, confirming or reserving, by any Order, or Orders, to be by Us or them made in Our or their Privy Council, all or any of the decisions, sentences or orders so to be made as aforesaid, by the said Visitor, for Us and on Our behalf, in reference to the said statutes, rules and ordinances or any of them.*

21. *And We do further ordain and declare* that no statute, rule or ordinance shall be framed or made by the said College Council, touching the matters aforesaid, or any of them, excepting only such as shall be proposed for the consideration of the Council by the Chancellor for the time being of Our said College.

22. *And We do require and enjoin* the said Chancellor thereof to consult with the President of Our said College, and the next Senior Member of the said College Council, respecting all statutes, rules and ordinances to be proposed by him to the said Council for their consideration.

23. *And We do hereby, for Us, Our Heirs and Successors, charge and command* that the statutes, rules and ordinances aforesaid, subject to the said provisions, shall be strictly and inviolably observed, kept and performed, from time to time, in full vigour and effect, under the penalties to be thereby or therein imposed or contained.

24. *And We do further will, ordain and grant, that the said College shall be deemed, and taken to be an University, and shall have and enjoy all such and the like privileges as are enjoyed by Our Universities of Our United Kingdom of Great Britain and Ireland, as far as the same are capable of being had or enjoyed by virtue of these Our Letters Patent. And that the students in the said College shall have liberty and faculty of taking the Degrees of Bachelor, Master and Doctor in the several Arts and Faculties, at the appointed times, and shall have*

liberty within themselves of performing all scholastic exercises for conferring such Degrees in such manner as shall be directed by the statutes, rules and ordinances of such College.

25. *And We do further will*, ordain and appoint that no religious test or qualification shall be required of or appointed for any persons admitted or matriculated as scholars within our said College, or of persons admitted to any Degree in any Art or Faculty therein, save only of all persons admitted within Our College to any Degree in Divinity, respecting whom such regulations may be made as the College Council shall think fit.

26. *And We do further will*, direct and ordain that the Chancellor, President and Professors of Our said College, and all persons admitted therein to the Degree of Master of Arts, or to any Degree in Divinity, Law or Medicine, and who, from the time of such their admission to such Degrees shall pay the annual sum of Twenty Shillings (Sterling money) for and towards the support and maintenance of the said College, shall be and be deemed, taken, and reported to be members of the Convocation of the said University; and, as such members of the said Convocation shall have, exercise and enjoy all such and the like privileges as are enjoyed by the members of the Convocation of Our University of Oxford, so far as the same are capable of being had and enjoyed by virtue of these Our Letters Patent, and consistently with the provisions thereof.

27. *And we do further will* and direct that there shall be a Principal of the said Upper Canada College, and such Masters as may be named, who shall superintend the education of the scholars of the said College, and instruct them under such regulations and government as the majority may authorize from time to time, but subject to the revision and sanction of the College Council. And we do ordain and grant that the Reverend JOSEPH HARRIS, Doctor of Divinity, shall be the first Principal of said College. And We do by these presents for Us, Our Heirs and Successors, will, and ordain and grant that the revenue and expenditure of Upper Canada College shall be under the control of the College Council, and the salaries, stipends, provisions and emolument of the Principal, Masters, Scholars and Officers, and Servants of Upper Canada College, and the expenses which it may be necessary to incur for the maintenance and support of the College, shall be paid and defrayed from the revenues of the said King's College and Upper Canada College.

28. *And We will*, and by these Presents, for Us, Our Heirs and Successors, do grant and declare that these, Our Letters Patent or the enrollment or exemplification thereof shall and may be good, firm, valid, sufficient and effectual in the law, according to the true intent and meaning of the same, and shall be taken, construed and adjudged in the most favourable and beneficial sense, for the best advantage of the said Chancellor, President and Scholars of Our said College, as well in Our Courts of Record as elsewhere, and by all and singular Judges, Justices, Officers, Ministers and other subjects whatsoever of Us, Our Heirs and Successors, any misrecital, non-recital, omission, imperfection, defect, matter, cause or thing whatsoever, to the contrary thereof, in any wise notwithstanding.

In witness whereof We have caused these Our Letters to be made Patent.

Witness Ourself at Westminster, etc.

NOTE.—No reference, except incidentally, is made to the provisions of the foregoing draft of an Amended Charter of King's College, in the Despatch of the Colonial Secretary, (Lord Glenelg,) printed on pages 213, 214 of this Volume. But, in that Despatch, Lord Glenelg refers, as an objection, to the exclusively Church of England character of the College Council, as constituted by Section eight of this draft of an Amended Charter of King's College, page 218. The terms of that Section are identical with the objectionable features of the "Amended Charter," suggested by Sir John Colborne, in his Despatch of the 6th of May, 1835, page 213, and as pointed out by Lord Glenelg, in his reply of the 17th of June, 1835.

CHAPTER XIII.

PURCHASE OF THE UNIVERSITY SITE;—ROYAL GRAMMAR SCHOOL LOT, YORK;—IMPERIAL GRANT TO KING'S COLLEGE, FROM THE CANADA COMPANY LAND SALES.

PURCHASE OF THE SITE OF KING'S COLLEGE UNIVERSITY.

In the Report of the Commissioners appointed by Lord Elgin, Chancellor of King's College University, in 1848, the purchase of the original site of King's College is thus referred to :

The first disbursement made by the College Council for the benefit of the University foundation was the purchase of the King's College grounds, in the vicinity of York, and now within the City of Toronto, consisting of over one hundred and fifty (150) acres.

The entire cost of these grounds, including the price of the land and the expenditure thereon, down to the first of January, 1850, has been fourteen thousand eight hundred and sixty pounds, eighteen shillings, (£14,860.18.0=£59,443.60,) less amount received for pasturage, etc., six hundred and eighty-seven pounds, ten shillings and three pence, (£687.10.3=\$2,750.05) ; say, net thirteen thousand nine hundred and ninety-three pounds, seven shillings and nine pence, (£13,993.7.9=\$55,973.55) ; the average expenditure for management has been nearly three hundred and fifty pounds (£350=\$1,400) a year. The College grounds are, perhaps, at present, the most beautiful public enclosure in British America. No investment ever made by the University authorities can be regarded as equal to this, either in present or prospective value. The property may be regarded as a reliable and available asset of the University, and would, at any time, produce three or four times the total cost. . . .

In March, 1856, the Legislative Assembly presented an Address to the Governor-General relating to this site of King's College, now the University of Toronto. In it, the following question, (number seven,) was asked :

Give "the quantity and situation of the land and property vested in the Crown for the use of the . . . University of Toronto and University College . . . which, up to this time, has been assigned by the Governor in Council, under the authority of the fifty-sixth section of Act sixteenth Victoria, chapter eighty-nine, for the use or purposes of such Institutions, or either of them, and the probable value thereof, with the date of the order making such assignment."

To this question, Mr. David Buchan, the Bursar of the University, replied, under date of the 18th of March, 1856, as follows :

His Excellency the Governor-General in Council has assigned and set apart, for the "use and purposes of the University, that portion of the property vested in the Crown . . . lying west of the College Avenue."

The letter of the Honourable the Provincial Secretary, communicating to the Bursar said appropriation, is dated the twenty-second day of February, 1856.

As to the quantity of ground so set apart . . . it will be between one hundred and three, and one hundred and four, (104,) acres.

As to its value, the Commission of Enquiry [of 1848] into the affairs of King's College, in their Report, presented in the year 1851, estimated the University grounds as worth three or four times their entire cost to the University. That cost was given as within a mere trifle of fourteen thousand pounds, (£14,000). Four times that amount would be fifty-six thousand pounds, (£56,000).

The proportion of ground set apart, as above stated, for the use and purposes of the University, is about two-thirds of the whole park. Its value, according to the opinion of the Commissioners, would be about thirty-seven thousand pounds, (£37,000). (*Page 53 of the "Return" to the Legislative Assembly, dated 26th of March, 1856.*)

EXPENSIVE WOODEN MODEL OF KING'S COLLEGE BUILDING.

The Inquiry Commissioners of 1848-1851, in criticising the expenditure on behalf of King's College from 1828 to 1839, point out an expenditure, on the part of King's College Council, which they term "injudicious," of seventeen hundred and twenty dollars (\$1,720,) for a wooden model of the then proposed King's College building. It certainly was an extravagant price to pay for the mere model of a building, which, after all, was taken down, and was, in 1856-7, replaced, on a more suitable site, by a beautiful and striking example of pure Norman Gothic architecture. The Inquiry Commissioners of 1848, say :

The only disbursement . . . which can be considered . . . injudicious . . . is an item of four hundred and thirty pounds (£430=\$1,720) for a wooden model sent out from London, England, as a miniature representation of the future University buildings.* (Pages 33 and 34.)

CONVEYANCES OF THE KING'S COLLEGE SITE, AND OF THE ROYAL GRAMMAR SCHOOL LOT.

In a "Report of the Special Committee of the Corporation of the City of Toronto, *re* Queen's Park and Avenue," dated the 28th of June, 1888, a statement of the several conveyances, etc., of the site of King's College is given, "prepared, pursuant to a Resolution of the said Committee, dated the 4th of May, 1888," by the then City Solicitor, as follows :

- Charter, 1827. *Document Number 1, Dated March 15th, 1827.*—By Royal Charter of this date, King George IV., incorporates "the Chancellor, President and Scholars of King's College at York, in Upper Canada."
- Conveyance, 1828. *Number 2, Dated December 10th, 1828.*—D'Arcy Bolton and wife sell and convey to the said Corporation, for £1,300, the north half of Park Lot number 13.
- Conveyance, 1829. *Number 3, Dated May 19th, 1829.*—Mary Elmsley and John Elmsley convey to the above Corporation, for £1,350, the north half of Park Lot Number 11, and 1 chain in width, through the centre of Park Lots numbers 9 and 10, for a road to Yonge Street.
- Conveyance, 1829. *Number 4, Dated August 15th, 1829.*—The Honourable W. D. Powell sells and conveys to the above Corporation, in consideration of £1,433, the north half of Park Lot number 12, and 1 chain in width, for a road, extending from Queen street northward to the said north half of Park Lot number 12.
- Conveyance, 1829. *Number 5, Dated August 18th, 1829.*—King's College to Honourable William D. Powell, as follows :
- Parties. This Indenture, made the eighteenth day of August, in the year of our Lord one thousand eight hundred and twenty-nine, between the Chancellor, President and Scholars of King's College, in the Province of Upper Canada, of the one part ; and the Honourable William Dummer Powell, of the Town of York, in the Home District of the Province aforesaid, Esquire, of the other part.
- Conveyance : W. D. Powell the Chancellor, President and Scholars of King's College aforesaid the easterly half, and J. B. Robinson to the said Chancellor, President and Scholars of King's College aforesaid, the westerly half of all that parcel or tract of land situate, lying and being in the Township of York, in the Home District aforesaid, and being composed of the easterly one chain in width of the south half of the Park Lot Number Twelve, and the westerly one chain in width of the south half of Park Lot Number Eleven in the first Concession of the said Township of York. Commencing in front of each lot on the north side of Lot Street in the Town of York, and running northerly 51 chains, to land pur-

*Upon enquiry, neither the Vice-Chancellor nor the Bursar of the University, knew anything of this Model. Mr. J. Ross Robertson, in his *Landmarks of Toronto*, 1894, says : "An elaborate model of a great educational establishment was prepared, but, when the time came to establish the University . . . t was rejected, etc. (Page 34.)

chased by said Chancellor, President and Scholars of King's College for a site for the said College, which said narrow portion of land was purchased by the said Chancellor, President and Scholars of King's College for an avenue or entrance from the said Town of York to the site of the said intended College, to be planted on either side with ornamental trees and shrubs, leaving a road in the centre for persons, horses and carriages having occasion to pass and repass from the said Town to said College.

And whereas, upon the purchase of the said ground for the said avenue it was agreed between the said parties that the Chancellor, President and Scholars of King's College should grant to each of them the said William Dummer Powell and John Beverley Robinson, and to their heirs and assigns, being respectively occupiers of the residue of the south halves of the said Lots Number Twelve and Eleven still remaining unsold, and being the property of the said William Dummer Powell and the said John Beverley Robinson respectively, a right of way in, over and upon the said avenue, with permission to erect four gates at equal distances on their own lands adjoining the avenue, and to pass and repass through the said gates to, from and into the said avenue and to such part or parts of it as shall be generally used by the said Chancellor, President and Scholars of King's College for horses, carts and carriages, and for foot passengers.

Condition :

Avenue.

Right of way allowed.

Now therefore, this indenture witnesseth, that in pursuance of the said agreement, and in consideration of the sum of five shillings by the said William Dummer Powell to the said Chancellor, President and Scholars of King's College aforesaid, in hand paid at or before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, they, the said Chancellor, President and Scholars of King's College aforesaid, have granted, bargained and sold, and by these presents do grant, bargain and sell unto the said William Dummer Powell, his heirs and assigns forever (being owners or occupiers of the southerly half of Lot Number Twelve aforesaid, now remaining, and being in the seisin of the said William Dummer Powell), a right of way and passage for himself and themselves, his and their farmers and servants, occupiers of the same premises, for the time being, and their tenants, workmen and visitors, on horseback or on foot, or with carts, carriages, waggons and sleighs, or other vehicles, in, over, along, by, through and upon, that part of the said avenue ordinarily used and appropriated for horses, carts and carriages, waggons, sleighs and other vehicles, and with such foot-way or ways, on either side thereof, as the said Chancellor, President and Scholars of King's College shall now or hereafter lay out and use for that purpose, with full liberty of ingress, egress and regress over the same, to be used as a way from Lot street, in the Town of York, to the southerly boundary of the College ground, being composed of the rear halves of the parts lots number twelve and eleven, and therefore to have and to hold the said right of way in, over and upon the said parcel or tract of land or avenue, as aforesaid, together with all and singular the rights, powers and privileges of ingress, egress and regress, in the same manner as the same is now, or may be at any time hereafter used and enjoyed by the Chancellor, President and Scholars of the said College, or by others resorting to the said College, with free liberty to erect four gates at equal distances on the said south half of lot number twelve; and of freely using the same, without the let, suit, hindrance, molestation, or disturbance of the said Chancellor, President and Scholars of King's College aforesaid, or their successors, unto the said William Dummer Powell, his heirs and assigns, being the owners or occupiers of the said land and premises adjoining the said way toward the west to the use of the said William Dummer Powell, his heirs and assigns forever, in the most full and ample manner, and that all and every the rights and privileges above mentioned, shall continue to and be enjoyed by the said William Dummer Powell, his heirs and assigns, notwithstanding the said Chancellor, President and Scholars of the said College shall or may at any time hereafter discontinue the use of the said avenue or road.

Consideration and right of way.

Gates to be erected.

Provided always, nevertheless, and these presents are upon the express condition that the said William Dummer Powell, and all and every person and persons using the said way by virtue of this grant shall not leave open any gates or wickets now set or erected or hereafter to be set up or erected upon or across the said way by the said Chancellor, President and Scholars of King's College; but shall at all times shut and fasten the same as they shall be directed by the Bursar of the said College, he, the said Bursar, providing locks and keys for that purpose, which locks and keys the said Bursar may from time to time alter and change, giving to the said William Dummer Powell or other owners or occupiers of the said land and premises for the time being a fresh key or keys upon all such changes.

Gates not to be left open.

Attestation.

In witness whereof the said Chancellor, President and Scholars at York, in the Province of Upper Canada, have to these presents affixed their common seal, and the said William Dummer Powell hath to these presents set his hands and seal the day and year first above written.

(Signed) **GEORGE HERCHEMER MARKLAND,**
Registrar King's College. [L s.]

(Signed) **WILLIAM DUMMER POWELL,**
By His Attorney,
SAMUEL PETERS JARVIS. [L s.]

Signed, sealed and delivered in presence of us,

(Signed) **GEORGE PERCIVAL RIDOUT,**
WILLIAM B. HEWARD.

Conveyance, 1829. *Number 6, Dated December 2nd, 1829.*—The Honourable John Beverley Robinson conveys to King's College, for £127, 1 chain in width along the west side of Park Lot number 11, extending from Queen Street to Yonge Street Avenue.

Conveyance, 1829. *Number 7, Dated December 2nd, 1829.*—King's College to Honourable John Beverley Robinson.

Parties.

This Indenture, made the second day of December, in the year of our Lord, one thousand eight hundred and twenty-nine, between the Chancellor, President, and Scholars of King's College, at York, in the Province of Upper Canada, of the one part, and the Honourable John Beverley Robinson, of the Town of York, in the Home District of the Province aforesaid, Esquire, of the other part.

Conveyance :
J. B. Robinson
W. D. Powell
to College
Council.

Whereas the said John Beverley Robinson hath lately sold and conveyed unto the said Chancellor, President and Scholars of King's College aforesaid the easterly half, and the Honourable William Dummer Powell hath also sold and conveyed unto the said Chancellor, President and Scholars of King's College aforesaid, the westerly half of all that parcel or tract of land, lying and being in the Township of York, in the Home District aforesaid, and being composed of the westerly one chain in width of the south half of Park Lot Number Eleven and the easterly one chain in width of the south half of Park Lot Number Twelve, in the First Concession of the said Township of York. Commencing in front of each lot on the north side of Lot street, in the Town of York, and running northerly fifty-one chains to land purchased by the said Chancellor, President and Scholars of King's College for a site for the said College, which said narrow portion of land was purchased by the said Chancellor, President and Scholars of King's College for an avenue and entrance from the said Town of York to the site of the said intended College to be planted on either side with ornamental trees and shrubs, leaving a road in the centre for persons, horses and carriages having occasion to pass and repass from the said Town to the said College.

Condition :
Right of way.

And whereas upon the purchase of the said ground for the said avenue, it was agreed between the said parties that the said Chancellor, President and Scholars of King's College should grant to each of them the said John Beverley Robinson and William Dummer Powell, and to their heirs and assigns, being respectively occupiers of the residue of the said south halves of lots numbers eleven and twelve still remaining unsold and being the property of the said John Beverley Robinson and William Dummer Powell respectively, a right of way in, over and upon the said avenue, with permission to erect four gates at equal distances on their own land adjoining the said avenue, and to pass and repass through the said gates to, from and into the said avenue and to such part or parts of it as shall be generally used by the said Chancellor, President and Scholars of King's College for horses, carts and carriages or for foot passengers.

Consideration
and right of
way.

Now therefore, this indenture witnesseth, that in pursuance of the said agreement, and in consideration of the sum of five shillings by the said John Beverley Robinson to the said Chancellor, President and Scholars of King's College, aforesaid in hand, paid at or before the sealing and delivery of these presents, (the receipt whereof is hereby acknowledged), they the said Chancellor, President and Scholars of King's College aforesaid have granted, bargained and sold, and by these presents do grant, bargain and sell unto the said John Beverley Robinson, his heirs and assigns forever, being owners and occupiers of the southerly part of Park Lot Num-

ber Twelve, now remaining and being in the seisin of the said John Beverley Robinson, a right of way and passage for himself and themselves, his and their farmers and tenants, occupiers of the same premises for the time being, and their servants, workmen and visitors, on horseback or on foot, with carts, carriages, waggons and sleighs, or other vehicles, in, over, along, by, through, and upon that part of the said avenue ordinarily used and appropriated for horses, carts, carriages, waggons, sleighs and other vehicles, and with such foot way, or ways on either side thereof, as the said Chancellor, President and Scholars of King's College shall, or may, hereafter lay out and use for that purpose, with full liberty of ingress, egress and regress over the same, to be used as a way from Lot street, in the Town of York, to the southerly boundary of the College grounds, being composed of the rear halves of Park Lots Numbers Eleven, Twelve and Thirteen, to have and to hold the said right of way, together with all and singular the right, powers and privileges of ingress, egress and regress in the same manner as the same is now, or may, at any time hereafter, be used and enjoyed by the Chancellor, President and Scholars of King's College, or by others resorting to the said College,* with free liberty to erect four gates at equal distances on the said south half of Lot Number Twelve, and of freely using the same without the let, suit, hindrance, or disturbance, of the said Chancellor, President and Scholars of King's College aforesaid or their successors, unto the said John Beverley Robinson, his heirs and assigns, being the owners and occupiers of the said lands and premises adjoining the said way towards the east, to the use of the said John Beverley Robinson, his heirs and assigns forever, in the most full and ample manner, and that all and every the rights and privileges above mentioned shall continue to and be enjoyed by the said John Beverley Robinson, his heirs and assigns, notwithstanding the Chancellor, President and Scholars of the said College shall, or may, at any time hereafter, discontinue the use of the said avenue or road.

Gates to be erected.

Gates, etc., not to be left open.

Provided always, nevertheless, and these presents are upon the express condition that the said John Beverley Robinson, and all and every person or persons using the said way, by virtue of this grant, shall not leave open any gates, or wickets, now set or erected, or hereafter to be set up or erected upon or across the said way by the said Chancellor, President and Scholars of King's College, but shall, at all times, shut and fasten the same, as they shall be directed by the Bursar of the said College, he providing proper locks and keys for that purpose, which locks and keys, said Bursar may, from time to time, alter and change, giving to the said John Beverley Robinson, or other owners or occupiers of the said land and premises for the time being, a fresh key or keys upon all such changes.

Attestation.

In witness whereof the said Chancellor, President and Scholars of King's College at York, in the Province of Upper Canada, have caused their common seal to be hereunto affixed the day and year first above written.

(Signed) GEORGE HERCHEMER MARKLAND,
Registrar of King's College.

(Signed) JOHN BEVERLEY ROBINSON.

Signed, sealed and delivered, (the words "11, and the easterly one chain in width of the south half of Park Lot Number") being first written between the fourth and fifth lines, and (the words "at York," being first written over the first line,) in the presence of

(Signed) GEORGE PERCIVAL RIDOUT.

(Signed) JOHN STEWART.

Number 8, Dated November 28th, 1834.—Reverend Doctor Strachan, the Conveyance, Honourable George Herchemer Markland, and Grant Powell, Esquire, convey to November 28th, 1834. King's College, etc., referred to on page 131 of this Volume.

* The Law Society of Upper Canada made a claim in 1842 of a right of way through this property, conveyed in 1829 to King's College, the matter was referred to Mr. James E. Small, Queen's Counsel, he said: By reference to the prior Deed by Mr. Robinson to the Law Society, dated the 18th of June, 1828, a grant was made (by him) of one chain on Lot (afterwards Queen) street, which was subsequently deeded by that gentleman to the University. . . . By this (deed) it appears that the one chain in question was granted by Mr. Robinson as a road, or highway, not only for the use of the Law Society, but for the public in general. . . . I, therefore suggest to the College Council, the propriety of of negotiating with the Law Society for the purchase of a strip of land upon the western side of their Block, about fifty-one feet, which, with the fifteen feet lying between their lot and the eastern boundary of the College Avenue, as now laid out, could be dedicated to the public for a road, etc. (*Report of University Inquiry Commissioners, 1848-1852, page 154.*)

Parties.

Letters
Patent, 1819,
to W. D.
Powell,
J. Baby and
J. Strachan.

Parcel
conveyed.

Trust.

THIS INDENTURE, made the twenty-eighth day of November, in the year of our Lord one thousand eight hundred and thirty-four, between the Honourable and Reverend John Strachan, of the city of Toronto, (late York), in the Home District and Province of Upper Canada, Doctor in Divinity, the Honourable George Herchermer Markland, of the same place, and Grant Powell, of the same place, Esquire, of the one part, and the Chancellor, President and Scholars of King's College, in the Province of Upper Canada aforesaid, of the other part. WHEREAS, by Letters Patent under the Great Seal of this Province, bearing date at York, the Twenty-sixth day of April, in the year of Our Lord one thousand eight hundred and nineteen. His late Majesty, King George the Third, of his especial grace, certain knowledge, and mere motion, gave and granted unto the Honourable William Dummer Powell, (since deceased,) James Baby, (since deceased,) and the said John Strachan, and to their heirs and assigns for ever, (amongst and together with other hereditaments,) all that parcel or tract of land, situate in the town of York, (now the city of Toronto,) containing by admeasurement six acres, more or less, being a certain parallelogram or block of land denominated by the letter D on the plan of the said town, situate on the east side of Church Street and the north side of Newgate Street, in the said town of York, being a reservation for the purposes of a public school in the said town of York, and which said parcel or tract of land is more particularly described in the said letters patent, as by reference being thereunto will more fully appear; to hold the same unto the said William Dummer Powell, James Baby and John Strachan, their heirs and assigns for ever, upon the trusts nevertheless and to and for the uses hereinafter declared concerning the same, that is to say, in trust at all times thereafter, to observe such directions, and to consent to and allow such appropriations and dispositions of them or any of them, as the Governor, or Person administering the Government of the said Province and the Executive Council therein for the time being, should from time to time make and order, pursuant to the purposes for which the said parcels or tracts of land, or any of them, were originally reserved, and to make such conveyance or conveyances, deed or deeds, of the said parcels or tracts of land or any part thereof, to such person or persons, and upon such trusts, and to and for such use or uses as the Governor, Lieutenant-Governor or person administering the Government of the said Province and the Executive Council thereof for the time being, should from time to time, by order in writing appoint;

Order in Coun-
cil, 1829.

Conveyance,
for R. C.
School.

And whereas by an Order in Council in writing, bearing date the 24th day of March, one thousand eight hundred and twenty-nine, His Excellency Sir John Colborne, the Lieutenant-Governor, and the said Executive Council, were pleased to order and direct that a certain portion of the said school reserve, embracing one-half of the plot east of grounds enclosed for the use of the Royal Grammar School, and numbered 1, 2, 3, 4, and 5, should be conveyed by the said Trustees to the Trustees of the Catholic Church and the Reverend William John O'Grady, in trust for the use of a Roman Catholic Parochial School, and the same containing three-quarters of an acre, (be the same a little more or less) was conveyed accordingly;

Conveyance,
1833.

And Whereas, by diverse mesne conveyance and other acts valid in the law, and ultimately by indenture of bargain and sale, bearing date the twenty-fifth day of November in the year of our Lord one thousand eight hundred and thirty-three, and made or expressed to be made between the said John Strachan of the first part, the said George Herchermer Markland, of the second part, the said William Dummer Powell, (since deceased) of the third part, William Rowan, Esquire, of the fourth part, and the said Grant Powell of the fifth part; all and singular the remaining portion of the said block of land denominated by the letter D, upon the said plan as aforesaid, became vested (together with other hereditaments therein mentioned) in them, the said John Strachan, George Herchermer Markland, and Grant Powell, their heirs and assigns forever as joint tenants; but, nevertheless, upon the trusts and to and for the several ends, intents and purposes mentioned, expressed and declared, of or concerning the same, in and by the said in part recited Letter Patent;

Order in Coun-
cil, 1834.

And Whereas by an Order in Council, bearing date the 16th day of June last, His Excellency, Sir John Colborne the Lieutenant-Governor, and the said the Executive Council, were pleased to order and direct that the said remaining portion of the said school reserve, denominated as letter D on the said plan, should be by the present Trustees conveyed to the Chancellor, President and Scholars of King's College, in trust for Upper Canada College; now this Indenture witnesseth that in obedience to the said recited order in Council, the same is hereby conveyed, etc. (*Statement of Prof. R. R. Cockburn, Esq., M.A., Principal of the Upper Canada College, to the Committee of the Legislature on Education, pages 27, 28, 1869.*)

THE GRANT OF £1,000 STERLING PER ANNUM TO KING'S COLLEGE,—FROM THE
LANDS SALE TO THE CANADA COMPANY.

The Commissioners appointed by Lord Elgin to enquire "into the affairs of King's College" in 1848, in their Report, state that :

In addition to the landed endowment (of King's College) . . . His Majesty was pleased to order that one thousand pounds sterling (£1,000) per annum be paid into the funds of the University [out of the yearly payment to the Government for the "Huron Tract" by] the Canada Company, during the term of their agreement, (about sixteen years,) to constitute a fund for erecting the Buildings of the Institution*. (*Page 17 of the Commissioners' Report 1848-1852.*)

The Despatch from the Colonial Secretary, giving His Majesty's sanction to this grant, will be found on page 226 of the First Volume of this Documentary History. The following is a summary of the proceedings of the authorities of King's College in regard to the grant itself. On the 4th of February, 1840, the Bursar of King's College, (Doctor Boys,) addressed the following letter to Mr. T. W. C. Murdoch, Chief Secretary to the Governor-General, the Right Honourable Charles Poulett Thompson, (afterwards Lord Sydenham) :

I have the honour to enclose to you, for the purpose of its being brought under the consideration of His Excellency the Governor-General, a copy of a Minute of King's College, respecting the claim of the College to the Royal Grant of one thousand pounds (£1,000) sterling per annum ; and, in compliance with that part of the Minute, which directs a statement to be sent to His Excellency of the circumstances under which the grant is claimed, I beg to add that this grant was made to King's College by the Crown, as communicated to Sir Peregrine Maitland by Earl Bathurst, in his Despatch of 31st March, 1827, a copy of which Despatch I enclose.† The grant is given for the purpose of erecting the College Buildings, and is directed to be paid out of the moneys furnished by the Canada Company, to continue during the term of their agreement. Their agreement is for sixteen years, from 1st January, 1826, to 1842. The College drew the grant from the 1st January, 1828, the endowment commencing in that year, and continued to receive it until 1st July, 1832, when it was suspended by a government Despatch to Sir John Colborne, until the Legislature should pass an Act for amending the Charter of the University.‡ Such an Act having been passed in the first session of the thirteenth Parliament, to which His Excellency Sir F. B. Head, then Lieutenant-Governor, signified the Royal assent on 4th March, 1837, the cause for the suspension was removed ; and, in consequence, the Council deem it expedient to submit the claim of this Institution to the Royal boon to His Excellency's favourable consideration. (*Page 114 of the Inquiry Commissioners' Report, 1848-1852.*)

Data in support of this Claim, 1838 : The boon of one thousand pounds sterling (£1,000) per annum, for sixteen years, (from 1826 to 1842,) to the University of King's College, is a distinct grant altogether different [from a similar one to Upper Canada College, made in 1834, and was] expressly given in aid of the cost of the Buildings to be erected [for King's College] ; and it is specially directed that this grant should be payable out of the proceeds of the sales of lands to the Canada Company, etc. (*Ibid, page 116. §*)

No action seems to have been taken on this Letter by Lord Sydenham. On the 7th of May, 1842, another letter was addressed to the Honourable Samuel

*As to how this grant was originally obtained, Mr. John Macara in his "Origin and History Management of the University of King's College, Toronto," 1844, says : The Archdeacon of York, (Doctor Strachan,) had previously distinguished himself as an energetic and powerful opponent to the formation of the Canada Company, and, through his zealous interference, its operation had been materially retarded. It was, at length, however, agreed, on the understanding that his personal opposition to the Company should cease, that an annuity of one thousand pounds (£1,000) for sixteen years should be given from the funds of the Company in aid of the University Buildings, etc. (*Page 43.*)

† Inserted on page 226 of the First Volume of this Documentary History.

‡ See page 215 of this Volume.

§For statement of this sale of lands to the Canada Company, see note on page 226 of the First Volume of this Documentary History. The agreement made by the Government in this matter with the Canada will be found in the Appendix to the Journals of the House of Assembly for 1826.

Bealy Harrison, Assistant Secretary West, (*i. e.* for Upper Canada,) and a further Memorandum was sent, as follows :

Memorandum from the King's College Council : The grant, [from the land sales to Canada Company,] was regularly paid from the first of January, 1828, until the last day of June, 1832,—being four and a half years. It was then suspended by a Despatch from the Home Government to Sir John Colborne, until the Legislature should pass such an Act for amending the original Charter of the University, (1827,) as should be approved by the Sovereign.*

The Legislature, having passed such an Act, in the first Session of the thirteenth Provincial Parliament, to which His Excellency, Sir F. B. Head, then Lieutenant-Governor of the Upper Province, signified the Royal assent, on the 4th day of March, 1837, the cause assigned for suspending the grant was removed.

On the 29th of January, 1840, Lord Sydenham, being Governor-General of Canada, and being present at the College Council, as Chancellor of the University, this matter was adverted to, and the following Minute made thereon :

Extracts from the Minutes of the proceedings of the Council of King's College, at a meeting held on the 29th of January, 1840 :

No. 6. "The Council took into consideration the Royal grant to King's College of one thousand pounds (£1,000) sterling per annum, when it was stated that an arrear of seven years and a half was due on this grant to the College, amounting, without interest, to eight thousand three hundred and thirty-three pounds six shillings and six pence (£8,333 6s. 6d.) currency."

"The Council deemed it expedient that an immediate application be made to His Excellency the Governor-General, respecting those arrears, accompanied with a full statement of the circumstances under which they are claimed, for his consideration." Which Minute was specially brought under His Lordship's consideration, by being transmitted to him by the Bursar, in his letter to the Honourable S. B. Harrison (as above), dated 4th of February, 1840.

His Excellency, Lord Sydenham, never took up the matter.

The last payment to be made to Government by the Canada Company will take place next month, June, 1842. It therefore seems a point of great urgency, that the matter should be taken into consideration immediately.

The account stands as follows :

From July 1st, 1832, to June 20th, 1842, ten years, ten thousand pounds, (£10,000,) sterling, with interest, equal to eleven thousand one hundred and eleven pounds two shillings and two pence (£11,111 2s. 2d.) currency (\$44,444.44.) *Report of the University Inquiry Commissioners, 1848-1852, page 117.*

KING'S COLLEGE OFFICE,

TORONTO, 7th of May, 1842.

H. BOYS,

Bursar.

NOTE.—This balance of \$44,444.44—due from the first of July, 1832, to the 30th of June, 1842, of the original grant of one thousand pounds, (£1,000,) sterling per annum,—does not seem ever to have been paid to the University. The payments made in the years 1828-1851 are carried forward in the general account of the University for these years, as shown in the Appendix to the Journals of the House of Assembly, for 1852.

*Mr. John Macara in his pamphlet of 1844 on the "Origin," etc., of King's College University, says : "This grant . . . was suspended by Lord Goderich—who penetrated the design of the College Council to maintain their position, so long as they were provided with available funds—until the Legislature should pass a Bill amending the Charter. In the Despatch of July 5th, 1832, by which he suspended the grant from the Canada Company, he placed the remodelling of the University entirely in the hands of the Provincial Parliament. . . . The Despatch, from which the above [is taken] was marked 'Confidential.'" (Pages 43, 44.)

CHAPTER XIV.

EARLY NOTED PIONEER TEACHERS IN UPPER CANADA.

Of the second group of men, who may be ranked among the noted pioneer Teachers of Upper Canada are the following : Messieurs George and Egerton Ryerson, and James, (afterwards the County Judge,) Mitchell, of the London District (Grammar) School ; the Reverend Thomas Creen, of the Niagara District School, (afterwards Rector there) ; the Reverend William Macaulay, (afterwards Rector of Picton,) of the Newcastle District School ; the Reverend Rossington Elms, of the Home and Johnstown District Schools ; the Reverend Samuel Armour, (afterwards Rector of Cavan,) of the *Old Blue School*, York ; the Reverend Doctor Thomas Phillips, of the Royal Grammar School and Upper Canada College, York ; the Reverend James Padfield, of the Royal Grammar School, York, and of the Johnstown District School, (afterwards Rector of Burford) ; Mr. John Law and Mr. Stephen Randal, of the Gore District School ; Doctor John Whitelaw, of the Midland and Niagara District Schools ; the Reverend John Burns, of the Niagara District School ; the Reverend John Bethune, (afterwards Dean of Montreal,) and the Reverend Doctor Hugh Urquhart, are of the Eastern District School.* Other Masters in that School are mentioned on page 321 of the First Volume of this Documentary History. Several other Teachers, of more or less note, are referred to in those parts of this Documentary History devoted to notices of early local Schools.

Some of the first Masters of Upper Canada College were noted in their day as able teachers, following chiefly, as they did, the old English methods of instruction. One of the most noted of these Masters—the Reverend Doctor Henry, (now Canon,) Scadding—has contributed sketches of some of these Teachers in his *Toronto of Old*, and has supplemented these sketches by additional “Notes” on each, in the recently published History of Upper Canada College, 1829-1892.

MESSIEURS JAMES MITCHELL AND GEORGE RYERSON, LONDON DISTRICT SCHOOL.

Of Mr. Mitchell, and his own brother George,† the Reverend Doctor Ryerson gives the following brief sketches, in referring to the early period of his own life. He said :—

The District Grammar School was then kept within half a mile of my Father's residence, by Mr. James Mitchell, (afterwards Judge Mitchell,) an excellent classical scholar. He came from Scotland with the late Right Reverend Doctor Strachan, first Bishop of Toronto. He

* For reference to the Reverend Doctor Hugh Urquhart and his Cornwall School, see reminiscences of it, by the late Honourable John Sandfield Macdonald, on page 231 of the First Volume of this Documentary History.

treated me with much kindness. When I recited to him my lessons in English Grammar, he often said that he had never studied the English Grammar himself, that he wrote and spoke English by the Latin Grammar.* (*Story of My Life, (1883,) page 24.*)

My eldest Brother, George, after the war of 1812, went to the Union College, United States, where he finished his collegiate studies. He was a fellow-student with the late Reverend Doctor Wayland, and afterwards succeeded my Brother-in-law (Mr. Mitchell†) as Master of the London District Grammar School. His counsels, examinations, and ever kind assistance were a great encouragement, and of immense service to me. (*Story of My Life, 1883, page 26, and the Ryerson Memorial Volume, 1889, page 119.*)

THE REVEREND EGERTON RYERSON, OF THE LONDON DISTRICT SCHOOL, AND OF
VICTORIA COLLEGE.

Of his own preparation for the work of teaching, Doctor Ryerson, in a personal sketch of his early history, says:

At the age of fourteen I had the opportunity of attending a course of instruction in the English language given by two Professors, the one an Englishman, and the other an American, who taught nothing but English grammar. They professed, in one course of instruction, by lectures, to enable a diligent pupil to parse any sentence in the English language. I was sent to attend these lectures, the only boarding abroad for school instruction I ever enjoyed. My previous knowledge of the *letter* of the grammar was of great service to me, and gave me an advantage over other pupils, so that before the end of the course I was generally called up to give visitors an illustration of the success of the system, which was certainly the most effective I have ever since witnessed, having charts, etc., to illustrate the agreement and government of words.

This whole course of instruction by two able men, who did nothing but teach grammar from one week's end to another had to me all the attraction of a charm and a new discovery. It gratified both curiosity and ambition, and I pursued it with absorbing interest, until I had gone through Murray's two volumes of "Expositions and Exercises," Lord Kames' "Elements of Criticism," and Blair's "Lectures on Rhetoric," of which I still have the notes which I then made. The same Professors obtained sufficient encouragement to give a good course of instruction and lectures at Vittoria, and one of them becoming ill, the other solicited my father to allow me to assist him, as it would be useful to me, while it would enable him to fulfil his engagements. Thus, before I was sixteen, I was inducted as a Teacher, by lecturing on my own native language. This course of instruction, and exercises in English, have proved of the greatest advantage to me, not less in enabling me to study foreign languages than in using my own.

While working on the farm I did more than ordinary day's work, that I might show how industrious, instead of lazy, as some said, religion made a person. I studied between three and six o'clock in the morning, carried a book in my pocket during the day to improve odd moments by reading or learning, and then reviewed my studies of the day aloud while walking out in the evening.

A kind friend offered to give me any book that I would commit to memory, and submit to his examination of the same. In this way I obtained my first Latin grammar, "Watts on the Mind," and "Watts' Logic."

I felt a strong desire to pursue further my classical studies, and determined, with the kind counsel and aid of my eldest brother, to proceed to Hamilton, and place myself for a year under the tuition of a man of high reputation both as a scholar and a Teacher, the late John Law, Esq., then Head Master of the Gore District Grammar School. I applied myself with such ardour, and prepared such an amount of work in both Latin and Greek, that Mr. Law said it was impossible for him to give the time and hear me read all that I had prepared, and that he would, therefore, examine me on the translation and construction of the more difficult passages, remarking more than once that it was impossible for any human mind to sustain long the strain that I was imposing upon mine.‡ In the course of some six months his apprehensions were

* Numerous Letters to and from his eldest Brother, George, will be found in the Reverend Doctor Ryerson's *Story of My Life*, 1883.

† See reference to Judge Mitchell on page 156 of the First Volume of this Documentary History.

‡ Having written to the late Honorable Senator Samuel Mills for his recollections of these School days. Mr. Mills replied as follows: "I have a distinct recollection of having had the honor of being at the Hamilton Grammar School with yourself in the years 1823 and 1824, and that the late Mr. John Law was Head Master at the time. He was considered a highly educated and accomplished scholar, and was so well qualified for the position he held, that the School had a provincial reputation and was patronized by many parties living at a great distance by sending their sons to it; and the very fact of your attending the School gave credit to it, as you were then considered a well educated young man, far in advance of the rest of us. Your studies, if my recollection serves me right, were confined entirely to reading Latin and Greek, and I know Mr. Law and the whole School looked upon you as being a credit to it.—*Journal of Education Volume xxx., page 114.*

realized, as I was seized with a brain fever, and on partially recovering took cold, which resulted in inflammation of the lungs by which I was so reduced that my physician, the late Dr. James Graham, of Norfolk, pronounced my case hopeless, and my death was hourly expected.

After a severe illness Egerton Ryerson happily recovered.

His narrative further states that, "the next day after my recovery, I left home and became usher in the London District Grammar School, applying myself to my new work with much diligence and earnestness, so that I soon succeeded in gaining the good-will of parents and pupils, and they were quite satisfied with my services,—leaving the Head Master to his favorite pursuits of gardening and building !

During two years I was thus teacher and student, advancing considerably in classical studies. I took great delight in "Locke on the Human Understanding," Paley's "Moral and Political Philosophy," and "Blackstone's Commentaries," especially the sections of the latter on the Prerogatives of the Crown, the rights of the subject, and the Province of Parliament."

In an address before the Ontario Teachers' Association in 1872, Doctor Ryerson said : As it has of late been stated, so confidently and largely, that I had yet to learn the elements of my native tongue. I began to suspect my own identity and to ask myself whether it was not a delusion that I had in boyhood not only studied, but, as I supposed, had mastered Murray's two octavo volumes of English Grammar and Kame's Elements of Criticism and Blair's Rhetoric, of which I still have the notes that I made in early life ; and that I had been called to assist in teaching a special class of young persons in English Grammar when I was only fifteen years of age ; and whether it was not a fancy that I had taught, as I supposed, with some degree of acceptance and success, what was then known as the London District Grammar School for two years, and had subsequently placed myself for a year under Dr. Law of Hamilton, an accomplished scholar in order to read Latin and Greek. (*Ryerson Memorial Volume, pages 119-121.*

Mr. P. K. Clyne, in the *New Dominion Monthly* for July, 1869, in an article on "Norfolk, or the Long-Point County," thus refers to its settlement and to the boyhood there of the Reverend Doctor Ryerson :

After undergoing many hardships which were only a foretaste of what they had to endure in the future, a company arrived in the Long Point region about the year 1780. This was then a solitary wilderness. These pioneer Loyalists went to work with zeal unsurpassed in clearing away the forest, in building roads and erecting houses as commodious as it was possible to erect out of rude materials. Among those who first came to the Long Point country, worthy of particular notice, were Colonel Ryerson, Colonel Backhouse, and Messieurs Walsh and Tisdale. In the pioneer home of Joseph Ryerson might have been seen a remarkably bright lad. Being extremely fond of books, he spent his spare moments in studying. So regular was his habits in this respect, that when a neighbour would drop in and ask for Egerton, the answer was sure to be : "You will find him in such a place, with a book." Notwithstanding he was placed in a position where opportunities for gaining an education were very meagre indeed, yet he overcame all obstacles—obstacles that he could not forget in after life, and which, like a true patriot, he set himself to remove. How much Doctor Egerton Ryerson, Chief Superintendent of Education, has done for the educational interests of Canada the reader is left to judge for himself. Of late the Doctor has made a practice of visiting the home of his childhood annually. Not always by rail and stage has he accomplished the journey from Toronto, but still clinging to the sport of his youthful days he would set forward in an open boat, and paddling it himself along the shores of the lakes would finally reach the place so dear to him, and which, no doubt, brought afresh to his memory many recollections both joyous and sad.

A rude log School House was constructed by the early settlers as soon as they could do so conveniently. A fire-place extended along nearly a whole side of the building. Logs of considerable length were rolled into this in cold weather for fuel, before which rude benches or hewed logs were placed as seats for the instructor and pupils. The close of the teacher's term was denominated "the last day." It was customary on this occasion for the children to turn the pelagogue out of doors by force, and for this purpose some whiskey was generally provided as a stimulant. Such was the state of educational institutions in the days of young Ryerson. What advancement has Education made since? We trace it step by step as onward it has advanced, until to-day Norfolk can proudly boast of Institutions and Teachers second to none of the kind in the world.—*Ibid, page 122.*

THE REVEREND DOCTOR RYERSON AS A TEACHER.

As to Dr. Ryerson's influence as a Teacher, the Reverend Doctor William Ormiston thus referred to it, at the Ontario Teachers' Convention in 1872, as reported in the *Journal of Education* for August, 1872, page 119. He said:

The Teacher has a reward peculiar to his work—a living, lasting memorial of his worth. The feelings of loving reverence which we entertain for those who have awakened our intellectual life, and guided us in our earliest attempts at the acquisition of knowledge, are as enduring as they are grateful. I shall never forget, as I can never repay, the obligations under which I lie to the venerable and honorable Chief Superintendent, Doctor Ryerson, not only for the kindly paternal greeting with which, as Principal, he welcomed me, a raw, timid, untutored lad, on my first entrance into Victoria College, when words of encouragement fell like dew-drops on my heart, and for the many acts of thoughtful generosity which aided me in my early career, and for the faithful friendship and Christian sympathy which has extended over nearly thirty years, unbroken and unclouded, a friendship which, strengthened and intensified by prolonged and endearing intimacy, I now cherish as one of the highest honours and dearest delights of my life; but especially for the quickening, energizing influence of his instructions as Professor, when he taught me how to think, to reason and to learn. How I enjoyed the hours spent in his lecture-room—hours of mental and moral growth never to be forgotten! I owe him much, and but for his presence here to-day, I would say more of what I think and feel of his character and worth. He has won for himself a place in the heart of many a young Canadian, and his name will be ever associated with the educational advantages and history of Ontario.

After the Reverend Doctor Ryerson's death, in February 1882, Doctor Ormiston thus referred to his experience at Victoria College, then under Doctor Ryerson's presidency. He said:

In the autumn of 1843, I went to Victoria College, doubting much whether I was prepared to matriculate as a freshman. Though my attainments in some of the subjects prescribed for examination were far in advance of the requirements, in other subjects I knew I was sadly deficient. On the evening of my arrival, while my mind was burdened with the importance of the step I had taken, and by no means free from anxiety about the issue, Dr. Ryerson, at that time Principal of the College, visited me in my room. I shall never forget that interview. He took me by the hand; and few men could express as much by a mere hand shake as he. It was a welcome, an encouragement, an inspiration, and an earnest of future fellowship and friendship. It lessened the timid awe I naturally felt towards one in such an elevated position—I had never before seen a Principal of a College—it dissipated all boyish awkwardness and awakened filial confidence. He spoke of Scotland, my native land, and of her noble sons, distinguished in every branch of philosophy and literature; specially of the number, the diligence, the frugality, self-denial and success of her college students. In this way he soon led me to tell him of my parentage, past life and efforts, present hopes and aspirations. His manner was so gracious and paternal—his sympathy so quick and genuine—his counsel so ready and cheering—his assurances so grateful and inspiring, that not only was my heart *his* from that hour, but my future career seemed brighter and more certain than it had ever appeared before.

Many times in after years have I been instructed, and guided, and delighted with his conversation, always replete with interest and information; but that first interview I can never forget, it is as fresh and clear to me to-day as it was on the morning after it took place. It has exerted a profound, enduring, moulding influence on my whole life. For what, under God, I am, and have been enabled to achieve, I owe more to that noble, unselfish, kind-hearted man than to anyone else.

As a Teacher he was earnest and efficient, eloquent and inspiring, but he expected and exacted rather too much work from the average student. His own ready and affluent mind sympathized keenly with the apt, bright scholar, to whom his praise was warmly given, but he scarcely made sufficient allowance for the dullness or lack of previous preparation which failed to keep pace with him in his long and rapid strides; hence his censures were occasionally severe. His methods of examination furnished the very best kind of mental discipline, fitted alike to cultivate the memory and to strengthen the judgment. All the students revered him, but the best of the class appreciated him most. His counsels were faithful and judicious; his admonitions paternal and discriminating; his rebukes seldom administered, but scathingly severe. No student ever left his presence, without resolving to do better, to aim higher, and to win his approval. *Story of My Life, (1883), pages 17-19.*

In 1872, the Reverend Doctor Ryerson wrote to Mr. Simpson McCall, of Vittoria and asked :

Will you have the kindness to let me know what is your own recollection as to the attendance at the School, especially in the winter months, and the impression of the neighborhood generally as to its efficiency during the two years that I taught it? Mr. McCall replied as follows : I can assure you that I have a vivid recollection of the London District School during the winters of 1821 and 1822, being an attendant myself. I also remember several of the scholars with whom I associated, viz. : H. V. A. Rapelje, Esq., late Sheriff of the County of Norfolk ; Captain Joseph Bostwick, of Port Stanley ; James and Hannah Moore.

The number generally attending during the winters of those two years, if I remember correctly, were from forty to fifty.

The School while under your charge was well and efficiently conducted, and was so considered and appreciated throughout the neighborhood at the time ; and after you left the charge of the London District School it was generally regretted in the neighborhood.

I remember hearing this frequently remarked not only by pupils who attended the School under your tuition but also by their parents. *Journal of Education for August, 1872*, pages 113, 114.

THE REVEREND ROSSINGTON ELMS, OF YORK AND BROCKVILLE.

Mr. Elms was formerly a Master in *The Old Blue School* at York, and afterwards in the Johnstown District Grammar School at Brockville. In a sketch of *The Old Blue School* at York, by Mr. J. Ross Robertson, reference is thus made to Mr. Elms :

Mr. Rosington Elms, a tall, well-formed, well-educated Englishman, was one of the principal Assistants in the School, etc.

A writer in the Brockville *Recorder*, "A. S. B." in June, 1872, speaks of Mr. Elms as "a true representative of the Irish Hedge School Master" and gives the names of several persons who were educated by Mr. Elms.

In reply to this writer, "An Old Grammar School Boy," under date of July 19th, 1872, writes to the Editor of the Brockville *Recorder*, and says :

Mr. Elms had no brogue, spoke English correctly, and no one could detect his being an Irishman from his language or appearance, and he had the dress, manners and social habits of an educated gentleman. Whether he received his education in Ireland or in this country, I am unable to say, but Judge Steele, your present County Judge, who, I think, was connected in some way with the Elms family, will know. He may have completed his education under Doctor Strachan at the York Grammar School. He certainly was Usher there for some time before he was appointed Master of the Johnstown District School. Though somewhat severe as a disciplinarian, and using the rod without stint, if boys neglected to learn their lessons, he was an admirable Teacher, and the system of teaching practised by him was well calculated to make his pupils apt and intelligent scholars. A good test of his capacity as a Teacher, judging from results, was that no boy who went up from the District of Johnstown Grammar School, whilst he was the Master, to pass the Law Society, was plucked. After leaving Canada, he resumed his profession as a Teacher in the State of Indiana, and died there within the last ten or twelve years. Shortly after his death, his pupils there met and passed highly eulogistic resolutions as to his requirements as a scholar and skill as a Teacher.

The names of the three brothers mentioned were in the order of their ages, Stewart, Okill, and Ormond Jones. The two eldest are dead. Ormond is still living, and is the Registrar for the County of Leeds. The present Chief Justice Richards was for several years a pupil of the School, and continued to attend it until Mr. Elms resigned the situation. He was succeeded for a short time by the Reverend James Padfield, who I believe is now living at Burford. Adiel S. Buell, nephew of the Sheriff, after whom he was called, and son of the late William Buell, of Rochester, did attend for a short time.

Louis Charland, (nephew of David, and Sir Daniel Jones,) was the most promising boy in the School, and he was never flogged to my recollection. He died young, about the year 1832. If he had lived he would have taken a prominent part in the affairs of this country. His health

was undermined by his close attention to the business of the Registry Office; his uncle, the late Sir Daniel Jones, having made him Deputy Registrar. John Ross, he was the Honourable John Ross, who died a year ago last winter in Toronto. James Read was the son of the late J. L. Read, of Merrickville; he died many years ago at Chatham, Upper Canada. George Glassford is the present Deputy Registrar of the County of Leeds. The Gray mentioned was Frank Gray, stepson of the late James Gray; he died in this Town somewhere about the year 1850. James Scott died a few years ago at Port Hope, where he was a practising Lawyer. Christopher Leggo is Dr. Leggo of the city of Ottawa. Dr. George Dunham is of Newboro'. The Hubbell boys were James Hubbell, now living at Hubbell's Falls, near Pakenham, and his elder brother Jones Hubbell, who died many years ago. Wells is the present Judge Wells, of Chatham, Ontario. Landon was, I believe, a son of the late Heman Landon, of Augusta; he is now dead.

Amongst other pupils at the old Grammar School, where the present Archdeacon Patton, now of Belleville, Judge Sherwood, of Belleville, the late Judge Smart of the same place, the late Judge Friel, of L'Orignal, the late John Bogart, who died about 1843 or 1844. There were many others, also, whose names I do not recall. Robert Hamilton was, I think, a son of a gentleman of the same name who resided at Queenstown, and was interested in the steamers *Queenstown* and *Frontenac*.

This is a world of progress and Canada advances, notwithstanding our neighbors think we are slow and unenterprising. Your correspondent ought to see the progress that has been made in his native town. He can find

"The school boy spot
We ne'er forgot though there we are forgot."

but the Gaol Yard covers part of the *spot* where the old School House stood; yet on enquiry he will find the old building itself converted into a small dwelling at the corner of Home and Water Streets. *Journal of Education for Ontario, Volume xxv., pages 87, 88.*

THE REVERENDS SAMUEL ARMOUR, M.A., AND THOMAS PHILLIPS, D.D., OF YORK.

The Reverend Doctor Scadding, in his *Toronto of Old*, said: The immediate successor of Doctor Strachan* in the Old Blue School was Mr. Samuel Armour, . . . whose profile resembled that of Cicero, as shown in some engravings. (*Page 166.*)

After referring to Mr. Elms, Mr. J. Ross Robertson said: Some years later the entire charge of the (Old Blue) School fell to the lot of the Reverend Samuel Armour, M.A., whose home on James Street will yet be remembered by old boys. Mr. Armour was a graduate of Glasgow University, a scholarly man, who had taken high honours in the Scotch commercial metropolis, and who, at the same time, had a mind of a sporting turn. . . .

Referring to the successor of Mr. Armour, Dr. Scadding, in his *Toronto of Old*, said: The Master who succeeded Mr. Armour was the Reverend Doctor Phillips, who came out from England to take charge of the [District Grammar, or Old Blue] School. He had been previously Master of a School in Herefordshire. His degree was from Cambridge where he graduated as a B.A., of Queen's, in the year 1805. He was a venerable looking man,—the very ideal, outwardly, of an English country parson of an old type. . . . According to the standards of the day, Doctor Phillips was an accomplished scholar and a good reader and writer of English. He introduced into the School at York the English Public School traditions of the strictest type. His text-books were those published and used at Eton, as Eton then was. . . . In regard to . . . Doctor Phillips himself; there is this advantage to be named as enjoyed by those whose lot it was, in this new region, to pass a portion of their impressionable youth in the society of such a character; it furnishes them with a visible concrete illustration of much that otherwise would have been a vague abstraction in the pictures of English society set before the fancy in the *Spectator* . . . and other standard literary productions of a century ago. . . .

It was from Doctor Phillips that we received our first impressions of Cambridge life; of its outer form at all events; of its traditions and customs.†

Mr. George Anthony Barber accompanied Doctor Phillips to York in 1825, as his principal Assistant, and continued to be associated with him in that capacity, . . . (Pages 167-170) and had charge for a time of the commercial and classical departments of the College. In 1844, he became local Superintendent of the Toronto Public School, and afterwards was appointed Secretary to the Board of School Trustees of the City. He died in 1875, aged 74 years.

*The Reverend Doctor A. N. Bethune, the successor of the first Bishop of Toronto, came to York in 1819, as Assistant Teacher in the Grammar School.—*Mr. J. Ross Robertson's Old Blue School.*

†Doctor Phillips retired in 1834. He died in 1849 at Weston, near Toronto, aged 68, and his body was borne to the tomb by his old pupils.—*The Old Blue School.*

Mr. J. Ross Robertson adds : Doctor Phillips, the new Principal of the Old Blue School, was an extremely affable man, with kindly voice for all who sought his friendship, an educationist, with tried experience, one who possessed the faculty of planting the seeds of scholastic knowledge in the brain of every boy who showed the slightest aptitude for the acquirement of mental food, which would be useful in fighting battles in the business fields of after life. To know him was to love him, and his personal contact with the boys, who valued his friendship and training, left an impression that was productive of the best results. . . . He was appointed Vice-Principal of Upper Canada College in 1830.

Mr. Barber . . . was well known as the father of cricket in old Upper Canada.—*The Old Blue School*, page 192.

THE REVEREND DOCTOR JOSEPH H. HARRIS, FIRST PRINCIPAL OF UPPER CANADA
COLLEGE, 1830-1838.

The Reverend Doctor Scadding says : Doctor Harris himself had been highly distinguished at the University of Cambridge, where he had been a Fellow of Clare Hall. . . . In his spare and wiry figure, as well as the aquiline outline of his features, he bore a considerable resemblance to the "Iron Duke," a resemblance also to be traced in the personal qualities of a strong dislike for verbiage and display, and the possession of great firmness, decision and energy.

To the Reverend Doctor Harris is due the now well-known selection from Horace (*Carmen iv*, 4, ll. 33-36,) which is appended to the labels, inserted in the prize books annually given at Upper Canada College :

Doctrina sed vim promovet insitam,
Rectique cultus pectora roborant ;
Uteumque defecere mores,
Dedecorant bene nata culpæ.

Rendered thus :

Yet training quickens power inborn,
And culture nerves the soul for fame,
But he must live a life of scorn
Who bears a noble name,
Yet blurs it with the soil of infamy and shame.

Doctor Harris resigned the Principalship in 1838. Not long after his retirement, and his return to England he was presented with the living of Tor Mohun in Devonshire. He died at Torquay in 1831, in the 81st year of his age, greatly respected and beloved.—*The Reverend Doctor Scadding in the History of Upper Canada College*, 1893, pages 25, 26 and 29.

THE REVEREND MESSIEURS CHARLES DADE AND CHARLES MATHEWS.

Mr. Dade was a man of unusual attainments in science and general learning. At the University of Cambridge, he obtained the high Wrangler's degree in the Mathematical Tripos, distinguishing himself . . . in the examination for classical honours. . . . He was elected a Fellow of Gonville and Caius College. . . . He gained what is called the Member's Prize in 1826 . . . a distinction only attained by first rate scholars. He resigned in 1838, and died on the 2nd of May, 1872, at his residence, Georgetown, Esqueness, in the 70th year of his age. His former pupils erected a monument to his memory at Georgetown.

Mr. Mathews, the first Classical Master, was a graduate of Pembroke College ; a brilliant classical scholar and a proficient in Hebrew. . . . He was one of those who had the power of inspiring in pupils a strong love of study, and a true taste in regard to nice points in the Greek, Latin and English classics. . . . After his retirement from Upper Canada College in 1843, he resided in the Island of Guernsey, where he died in 1877.—*The Reverend Doctor Scadding in the History of Upper Canada College*, pages 25, 33, 34 and 37.

THE REVEREND W. BOULTON AND MR. JOHN KENT.

Mr. Boulton, son of the Honourable Mr. Justice Boulton, was the second Classical Master. He was a graduate of Queen's College, Oxford, and was, before coming back to Canada, a Master in the old endowed Blundell's School at Tiverton, Devonshire.—*Ibid.*, page 25.

Mr. Kent, the resident Master, lived at the east end of the Boarding house.* He ruled that the boys should rise at six o'clock in the summer mornings, and at seven in the winter.

*Note by Mr. Robertson.—John Kent: an excellent man, and still living in the Island of Madeira (1893).

He had a general supervision of the boy boarders, and was not a hard taskmaster. He read prayers in the evening, and stood well with his charge. He was an Englishman, young, bright and courteous. He was peculiar in temperament, quick in thought, and sharp in his manner and prompt in the matter of punishment. He dressed with proverbial neatness. His white tie and clean shaven face reminded one of the man who always looks as if just out of a band-box. He urged the boys to be neat in their attire, and certainly by his example encouraged them to practise what he preached. He was fond of music, and, as in thought he went back to his little home in the motherland across the sea, he made it a point that the boys in residence should practise for a few days before each summer vacation, and assemble in the study to sing "Home, Sweet Home," a song that touched their hearts, and has kept John Kent's clean-cut form and kindly face warm in the memory of the young choristers, who looked upon him as a friend, rather than a teacher. The monotony of boarding house life was varied with the happenings which were common to all resident Schools.—*Life at the Boarding House*, by Mr. J. Ross Robertson, page 25.

In the Memorial of Bishop Strachan by Bishop Bethune, it is stated that :

From 1841 to 1843 the editorial management of *The Church* newspaper was assumed by Mr. John Kent, who had been a valuable contributor to its pages from the commencement. The excitement, however, amid the clash and din of party strife was too much for him, and the paper came back to its first Editor, who held it again . . . for nearly four years. . . . It gradually lost ground, and died out . . . in 1856. (Page 159.)

By reference to the "*Story of my Life*," prepared by the Editor of this Documentary History, it will be seen that an interesting private correspondence took place between Mr. Kent, while Editor of *The Church*, and the Reverend Doctor Ryerson. (See pages 292-297 of that book.)

On Mr. Kent's leaving Canada, a testimonial to his worth and labour was subscribed by his friends, and was transferred to Trinity College to found a prize there, named the Kent Testimonial Prize.

REVIEW OF EDUCATIONAL LEGISLATION IN UPPER CANADA, BY THE REVEREND EGERTON RYERSON, 1835.

It was in the year 1835, that the Reverend Egerton Ryerson finally retired from the Editorship of the *Christian Guardian*. He had long been anxious to do so; but, until now, the Conference would not consent to release him. At length, on the 17th of June, 1835, his valedictory appeared in that paper, and he was appointed to a charge in Kingston. Before retiring from the Editorship of the *Guardian*, he wrote a review, somewhat historical in its character, of the educational legislation of Upper Canada down to 1835. It is fitting, therefore, that this, his then final public educational utterance should be inserted here, before entering on the details of his difficult and delicate mission to England in quest of funds, and to obtain a Royal Charter for the Upper Canada Academy, which was then so greatly desired.

In the earliest of two valedictory articles on Education from his pen in 1835 the Reverend Egerton Ryerson thus reviewed the character and progress of the educational legislation which had taken place in Upper Canada during the preceding years; and, while he drew rather a gloomy picture of the then actual state of Common School Education in the country, he yet did full justice to those of the public men in the Legislature who had endeavoured to bring about a better state of things.

This review of the state of Education in Upper Canada, and of the efforts which had been put forth to improve it, is all the more interesting from the fact that it was written sixty years ago, by the after founder of our present system of Education in Ontario.

There is but little doubt that the facts stated in this article must have strongly impressed the writer ; for many times, long before he had accepted the office which he held so long and so advantageously to this country, did he refer to the subject ; and also in his conferences with our first Governor-General (Lord Sydenham),* and spoke of the necessity of something being done to remove the reproach from Upper Canada as she was so far behind her old and nearest neighbour, the State of New York, as well as behind her newer, and equally near neighbour, the State of Michigan, in their efforts to diffuse intelligence and promote the general education of the people. The following is the review of the educational legislation of Upper Canada :

THE DUTY OF THE LEGISLATURE TO MAKE EFFICIENT PROVISION FOR THE GENERAL
EDUCATION OF THE PEOPLE.

It is with the elementary branches of Education that the mass of the people are immediately concerned to acquire, and the Legislature is bound to provide for them. The Legislature has, as yet, done comparatively nothing on this subject ; and the country at large is in a miserable state of destitution in respect to Common Schools.

His Excellency the Lieutenant-Governor has, year after year, pressed the subject on the attention of the two Houses of Parliament, and expressed an anxious desire to adopt any feasible plan that might be suggested ; but it is evident to the most superficial observer that party feeling and party interests have prevented this subject from receiving that impartial and careful consideration which its importance demands, and which the country has reason to expect. Mr. William Morris has, indeed, laid the Province under great obligations to him for his labourious investigations, reports and addresses in regard to the School lands ; and Colonel Mahlon Burwell has bestowed much pains and labour in devising and maturing a plan of Common School Education, which, though in our opinion liable to some very serious objections (which we stated at large in the *Guardian* of the 15th January, 1834), combines, in other respects, the principal excellencies of the Scottish, Prussian, and other New York State systems of Common School Education—acknowledged to be the most efficient and best in the world. However strongly we have, from time to time, expressed our dissent from certain opinions and measures of Colonel Burwell, we think he deserves credit for his indefatigable zeal and perseverance on the subject of Education—whatever opinions may be entertained of the plan that he recommends. Dr. Charles Duncombe, likewise, has devoted considerable attention, and has presented a Report on the subject of Common School Education, during one Session of the late Parliament. Mr. William Buell has also introduced a short Bill on the subject.

We hope that the present House of Assembly will not treat it as a mere question of party, or individual ambition ; but that, as the last Common School Act is about to expire, a comprehensive system will be adopted and a liberal provision made, commensurate to the wants and adapted to the rapid increase of the population. As the acquisition of elementary knowledge commences by learning the A. B. Cs., so should the first and most anxious attention of the Legislature be directed to the general and efficient establishment of Elementary Schools. The business, or science of teaching, should be rendered an object of honourable competition, under proper guardianship, and not (as it is at present in too many cases), the *dernier resort* of persons altogether unqualified and unfit for so responsible an office.

The Legislative provision made for the education of the people, however large the amount, and from whatever source obtained, is nothing in comparison of the advantages derived from it to the public interests and individual comfort and happiness. The philanthropic and successful efforts of a single mind, first taught and enlightened by means of such a provision, may more than compensate the country for the expense of a general system of Education. The knowledge, morals and intellectual enjoyments of a people are not to be estimated by pounds, shillings and pence.

*The purport of many of these interviews, and of the correspondence with Lord Sydenham on general public questions, will be found in various portions of *The Story of my Life*, 1883.

CHAPTER XV.

THE CHARTER OF THE UPPER CANADA ACADEMY,
COBOURG, 1835-36.

Owing to the stringency of the times, pecuniary embarrassment very soon overtook the newly erected Upper Canada Academy, at Cobourg. It was, therefore, necessary that an effective Agent should be despatched to England to obtain the necessary funds there, either by a direct appeal for subscriptions, or by way of loan.

The Reverend William Lord, President of the Academy Board of Trustees, having reported to that Board the embarrassed state of the Academy funds, a meeting was called to consider ways and means, so to extricate the Trustees from their difficulties. The Reverend Anson Green in his *Life and Times* (1877), pages 196-7, thus refers to this financial crisis in the affairs of the Academy. He says :

July 19th, 1835.—I was summoned to Toronto by the President for the purpose of attending. . . . the Board Meeting of Upper Canada Academy ; to prepare for the opening of that Institution, and to provide funds to pay off the debt incurred by its erection. We resolved to send the Reverend Egerton Ryerson to England to procure assistance, while at the same time we petition the Upper Canada Parliament to make us a grant of four thousand one hundred pounds, (£4,100,) this being the amount of our indebtedness. . . . 740,275 acres of land were set apart (in 1791) for higher Education (in Upper Canada) ; . . . 225,944 acres of these lands have been given to King's College, and 66,000 to Upper Canada College; and why should not Upper Canada Academy have some assistance from the same quarter ? . . .

The main object of the meeting of Trustees was, however, to select an efficient Agent to collect the necessary funds in England, and also to obtain a Royal Charter for the Academy in England.

The choice of this Agent naturally fell upon the Reverend Egerton Ryerson, who, two years previously, had successfully negotiated the union between the English and Canadian Methodist Conferences. He was, therefore, well known to the leaders of the English Conference, who could, and did, give him effective aid in his Mission.

Another important object of this mission was to obtain from the King, through his Ministers, a Royal Charter for the Academy, which had just been established at Cobourg. This was the more necessary, from the fact that it was not found possible to obtain from the Upper Canada Legislature either pecuniary assistance, or an Act of Incorporation for the Academy, such as its promoters could accept.*

THE STATE AND FINANCIAL PROSPECTS OF UPPER CANADA ACADEMY, 1835.

The Reverend Egerton Ryerson finally retired from the editorship of the *Christian Guardian* on the 17th of June, 1835. On that day his final valedictory

* The cause of this difficulty in obtaining either funds, or Charter, for the new Academy is mentioned on page 174 of this Volume.

appeared in the *Guardian*, and in it he thus referred to the financial state and prospects of the Upper Canada Academy:

. . . . An encouraging circumstance, which will be hailed with gratitude and delight by every friend of Christian Education, is the prospective completion and operations of the Upper Canada Academy. The establishment of a Seminary of Learning has been long meditated by the Conference with anxious solicitude, and great and generous exertions have been made during the last four years to accomplish this object. Subscriptions to the amount of seven or eight thousand pounds, (£7,000 or £8,000,) have been obtained, and about three thousand pounds, (£3,000,) collected. This is the most noble and patriotic effort yet made by any religious denomination in this Province for the advancement of Education. The pressure upon the currency of the country, to a very considerable extent, for the last two years, together with other circumstances of opposition and difficulty, has greatly retarded the completion of the Academy Buildings, until with an accumulated debt of between two and three thousand pounds, (£2,000 and £3,000,) an exhausted treasury, and without available resources to meet pressing demands, there appeared melancholy ground to apprehend the failure of the philanthropic enterprise, and the loss of all the labour and expense and anxiety bestowed upon it. In this extremity, the President of the Conference, now feeling perfectly assured of the stability of the Union, and witnessing the sacrifices and exertions made by the Preachers and a great portion of the Church, and after having become jointly responsible for a large sum of money, in behalf of the Institution, during the past year, generously came forward and offered to draw upon friends in England to the amount of ten thousand dollars to complete the buildings and bring the Institution into operation as soon as possible, relying upon the establishment itself and the subscriptions due, together with the exertions of the friends of Religion and Education, for the repayment of the money thus advanced. The buildings will therefore be finished forthwith—will be fit for occupation in two or three months. Immediate steps are to be taken to procure a Principal and Tutors; and we expect that the Institution will be opened at farthest by the first of next January, if not in October or November. We confidently look to the operations of this Institution as the source of invaluable literary and religious advantages to Upper Canada, if not to the Canadas. May it go on and prosper; and may the friends of Education and Religion rally around it with more efficient support than ever, and with a patronage commensurate to its claims upon their confidence.

APPEAL TO THE LIEUTENANT-GOVERNOR FOR FUNDS—MEMORIAL TO THE KING FOR A CHARTER FOR THE UPPER CANADA ACADEMY, 1835-1836.

In the Annual Address of the Canadian Conference by the Members of the Methodist Church in 1835, the following passage occurs:

We are happy to say that the buildings for the Upper Canada Academy are nearly completed. We trust that the Institution will soon be opened for the reception of pupils. We believe it will be the means of educating many who will become School Teachers themselves, as well as of imparting a solid education, upon religious principles, to very many youths of the Province. . . .

In this great undertaking, a very heavy expense has been incurred. A large debt still stands against the Institution. We confidently rely upon your intelligence and liberality to aid in the liquidation of this debt, and in the support and success of the establishment.

MEMORIAL TO THE KING, AND ADDRESS TO THE LIEUTENANT-GOVERNOR.*

At the same Conference an Address to the Lieutenant-Governor, Sir John Colborne, was agreed to. From it I make the following extract relating to the needs of the newly erected Upper Canada Academy:

To His Excellency Sir John Colborne, K.C.B., Lieutenant-Governor of Upper Canada:

. . . . We gratefully acknowledge Your Excellency's ardent desire and successful exertions to promote the religious improvement of the Indian Tribes and the new settlements, and to advance the educational and general interests of this happy and flourishing Province.

We are fully aware that Your Excellency has no object more at heart than the Education of the youth of this Province; and especially when the advancement of that

* In a Petition addressed to the House of Assembly on the 2nd of February, 1838, by the Reverend Egerton Ryerson, he thus refers to this Memorial: "In the month of June, 1835, the Conference . . . in accordance with the suggestions of the late Lieutenant-Governor of the Province, Sir John Colborne, petitioned His late Most Gracious Majesty for a Royal Charter of Incorporation, and an endowment for the Upper Canada Academy; that, in November following, of the same year, Your Petitioner was duly appointed to proceed to London to advocate these objects before the Imperial Government, under the strong recommendation of Sir John Colborne."

noble object, by whomsoever promoted, is based upon Christian principles, and is connected with a vigilant and efficient guardianship over the morals of the pupils. In this light we are persuaded that Your Excellency will regard every effort for the promotion of Education made by us as a Body of Christian Ministers, and will extend to it your approbation and assistance.

We are, therefore, encouraged to present, through Your Excellency, the accompanying Memorial to the King's Most Excellent Majesty, praying for a Royal Charter to incorporate a Seminary of Learning, and for an endowment of lands and pecuniary assistance to relieve the Institution from existing embarrassments, and to carry it into successful operation.

We respectfully request Your Excellency to transmit this Memorial to England, to be laid before His Majesty. And we earnestly solicit the powerful, and, we doubt not, the efficient aid of Your Excellency's recommendation and influence in behalf its objects. . . .

CONFERENCE AT HAMILTON,
June 16th, 1835.

WILLIAM LORD, President.
EGERTON RYERSON, Secretary.

A reply to this Memorial was sent by Lord Glenelg to Sir Francis Bond Head, the successor of Sir John Colborne as Lieutenant-Governor, on the 2nd of March, 1836, as follows :

I have to acknowledge the receipt of Sir John Colborne's Despatch of the 18th of September, 1835, transmitting an Address to His Majesty from the Ministers of the Wesleyan Methodist Church, praying for assistance towards the support of a Seminary for Education, erected by them in the vicinity of the Town of Cobourg, in Upper Canada. . . .

Since the receipt of Sir John Colborne's Despatch, I have been in communication, on the subject of this Address, with the Reverend Mr. Ryerson, who was deputed to represent the interests of the Wesleyan Methodist Church in this country. The subject is one, to the importance of which I am fully sensible, and to which I have accordingly devoted an attentive consideration. But I regret that I am unable to discover the means of affording . . . that pecuniary assistance which (the Memorial) solicits.

I have announced to Mr. Ryerson my decision on the subject, and the considerations on which it has been founded : [in a letter dated the 29th of February, 1836 ; see page 251 of this Volume.] I have to request that you will communicate the substance of (that letter in answer to the) Address to His Majesty, of the 16th of June, 1836.

DOWNING STREET, 2nd March, 1836.

GLENELG.

In addition to this Despatch from Lord Glenelg to Sir F. B. Head, the following one was sent by the Colonial Secretary to the Lieutenant-Governor after the issue of the Revised Charter of Upper Canada Academy had been assented to by the Imperial Government. It was dated 26th of July, 1836 :

With reference to my Despatch of the 2nd of March, 1836, I have the honour to inform you that, in consequence of the representations made to me by the Reverend Egerton Ryerson, I considered it my duty to advise His Majesty to grant a Charter of Incorporation to the Seminary of Learning lately established in Cobourg, under the title of the Upper Canada Academy. His Majesty has been graciously pleased to approve of that advice.

I have the honour to transmit to you, herewith, an additional Instruction signed by His Majesty, directing you to pass under the Public Seal of the Province, Letters Patent for the Incorporation of the Academy, in the terms therein specified.

In my Despatch of the 2nd of March last, I informed you that, in the existing state of public affairs in Upper Canada, I had not felt at liberty to grant to this Institution any pecuniary assistance from the Crown Revenues of the Province. From this decision I have not been able to depart ; but, appreciating, as I do, the exertions which have been made by the Wesleyan Methodist Church for the promotion of Education in Upper Canada, I cannot but feel a lively interest in the success of this Academy, and a sincere desire that it may not be left without such pecuniary aid as may be necessary to its support.

I cannot doubt that, in these sentiments, the Representatives of the people of Upper Canada will coincide ; and the object of my present Despatch is to desire that you will bring the subject under the notice of the Provincial Legislature at its next meeting, and suggest to the House of Assembly the propriety of affording pecuniary assistance to the Wesleyan Body in carrying into operation the Academy lately established by them. The amount of that assistance, and the source from whence it should be derived, must, of course, be left to the judgment of the House of Assembly.

DOWNING STREET, 26th of July, 1836.

GLENELG.

The Reverend Egerton Ryerson left Canada on the 20th of November, 1835, and did not arrive in England until the 28th of December following.

Before leaving Upper Canada, Mr. Ryerson applied to Sir John Colborne, the Lieutenant-Governor, and to other gentlemen for letters of introduction to parties in England, (connected chiefly with the Canada trade,) and to other persons who might aid him in his mission. He prepared and had printed in England the following Prospectus and Appeal for aid in the promotion of Education in Canada. It was headed :

EDUCATION IN CANADA—PROSPECTUS OF A SEMINARY OF LEARNING.

To be opened at Cobourg, Upper Canada, on the 1st of June, 1836, under the direction of Trustees appointed by the Conference of Wesleyan Methodist Church in Canada. A Principal has been engaged, and other arrangements are being made for the opening of the Institution, under the belief that the necessary means will be obtained. Cobourg is a beautifully situated town, with an artificial harbour, on the banks of Lake Ontario, between Toronto and Montreal.

It is designed to be a Literary Institution, in the words of the Charter, “for Character and the instruction of Youth and Students in the various branches of Science and objects of the Literature.” The children of Wesleyan Ministers are to be received upon the same terms with other youth of Canada. The specific objects of the Institution are the following : 1. To educate, upon terms equally moderate with similar institutions in the neighboring republic of the United States, and with strict attention to their morals, youth of Canada generally. 2. To educate for Common School Teachers, free of charge, poor young men of Christian principles and character, and of promising talents, who have an ardent thirst for knowledge. 3. To educate the most promising youth of the recently converted Indian tribes of Canada, as Teachers to their aboriginal countrymen.

For want of such an Institution, upwards of 60 of the youth of Canada are now attending Seminaries of Learning, under a similar management, in the United States, where nearly 200 Canadian youth have been taught the elementary branches of a professional Education during the last 8 years. There is good reason that nearly, if not quite, all the Canadian youth now being taught in the United States Seminaries of Learning, will return to Canada as soon as this Institution shall have been brought into operation ; besides the attendance of other Canadian youth, some of whom have been kept at home by their parents, for several months past, awaiting the opening of this Institution.

There is room within the building for the residence, as well as the tuition of 170 students. A much larger number can be taught, and there are boarding houses in the vicinity.

The buildings have been erected during the last two years. They are of brick and are completed in a plain, neat and substantial manner. The cost of them is a little more than £6,000. £4,000 of this sum have been voluntarily contributed by the inhabitants of that new country—a larger sum in proportion to the circumstances and number of the population, than £400,000 would be in England for a similar object. For the other £2,000 and upwards, the Trustees are individually holden to the Provincial Banks.

The sum of £2,000 is required to relieve the Trustees. About the same sum is necessary to furnish the establishment, exclusive of a Library and Apparatus. Every exertion has been made in Canada to make up this deficiency, but in vain. The country has done to the extent of its present ability.

In behalf, therefore, of this Institution, most important to the best interests of a healthy, fertile and rapidly improving British Colonial possession, the inhabitants of which have in this, as in other instances, shown the strongest desire to help themselves to the utmost of their very limited means—a respectful and earnest appeal is made to British liberality—an appeal which, it is devoutly hoped, will be responded to in a manner that will contribute to draw still closer the bonds by which the Loyal Province of Upper, and the British population of Lower Canada, are united to the Mother Land.

Appended to this Appeal was the following general letter from Sir John Colborne, commending the object of the Reverend Egerton Ryerson's visit to England:

The President and Ministers of the Wesleyan Methodist Conference, deputed by the Wesleyan Committee in London to superintend their affairs in Canada, find it necessary to solicit subscriptions in England to enable them to bring into full operation a Seminary established at Cobourg, in Upper Canada, under their superintendence and provide competent tutors.

With this view, the Reverend Egerton Ryerson proceeds to England at their earnest request; and, as I am persuaded that this Colony will derive the greatest advantage from the Institution, and from the exertions of the Conference to diffuse Religious Instruction, I cannot but strongly recommend that it may receive encouragement and support from all persons interested in the welfare of Upper Canada.

J. COLBORNE,

GOVERNMENT HOUSE, TORONTO, UPPER CANADA,
November the 18th, 1835.

Lieutenant-Governor.

To this commendatory letter from the Lieutenant-Governor of Upper Canada, was appended the following:

We cordially concur in the foregoing recommendation of His Excellency, Sir John Colborne.

WESLEYAN MISSION HOUSE,
LONDON, February, 1836.

JABEZ BUNTING,
JOHN BEECHAM,
ROBERT ALDER.

The commendatory letters which the Reverend Egerton Ryerson took with him from Canada were signed by the Honourable Peter McGill, Mr. Benjamin Holmes, Cashier of the Bank of Montreal, and Messieurs Gillespie Moffat and Company, Merchants, Montreal. To these letters he added the following statement and appeal:

Mr. Ryerson deems it superfluous to add any other recommendations at length. Among a number of letters, expressing the same sentiments and feelings with the above, placed at his disposal by the gentlemen to whom they were addressed, he will only name the two following: One from Mr. Shuter, of Montreal, to his brother, John Shuter, Esquire, of Halcomb House, Mill Hill, near London; and one from the Honourable John Neilson, of Quebec to Alexander Gillespie, Junior, Esquire, London. Mr. Neilson came to London a few months since as Agent to his Majesty's Government and to the two Houses of Parliament, for "The Quebec Constitutional Association,"—an Association formed, in connection with a similar one in Montreal, with a view to resist the encroachments of the French House of Assembly upon the rights, liberties and interests of the British population,—rights guaranteed by the Constitution of the Province in 1791, and possessed and enjoyed by His Majesty's subjects speaking the English language for more than forty years.

The above statements, —all of which are not only from gentlemen of the highest respectability in the provinces, but from members of the Established Churches of England and Scotland,—bear ample testimony to the character and usefulness of the Wesleyan Methodist Church, —by far the most numerous Protestant denomination in Upper Canada, the *itinerant* ministry of which is most happily adapted to a new country. To the active and zealous labours of this branch of the Christian Church, Protestantism greatly owes its commanding influence in Upper Canada, if not its existence in many places. Of the character and labours of the Wesleyan Methodist Ministers in Canada, from the earliest period of its history, the following extract from an Address of the Upper Canada House of Assembly to the King, in 1828, on the Religious Condition of the Province, contains a testimony honourable and conclusive:

"To the disinterested and indefatigable exertions of these pious men, this Province owes much. At an early period of its history, when it was thinly settled, and its inhabitants were scattered through the wilderness, and destitute of all other means of religious instruction, these ministers of the Gospel, animated by Christian zeal and benevolence, at the sacrifice of health and interest, carried among the people the blessings, consolations, and sanctions of our holy religion. Their influence and instruction have been conductive, in a degree which cannot be easily estimated, to the reformation of their hearers from licentiousness, and the diffusion of correct morals, the foundation of all sound loyalty and social order."

Through the same instrumentality, large bodies of the aboriginal Indian tribes of Canada have been converted to Christianity, and no less than nine villages have been erected and established, where many hundreds of these long-neglected, much-injured, and formerly degraded people, are collected together, and are cultivating habits of Christian virtue and industry; and several hundred Indian children and youth are taught in the Schools, several of whom have already become excellent Teachers to their countrymen. On this point the Upper Canada House of Assembly, in the Address above-mentioned, expresses itself as follows:

"The great and surprising change which has occurred within a short period of time in the character and condition of large bodies of the Mississagua Indians is well known. From a state of vice and ignorance, wretchedness and degradation, almost brutal, they have been brought to habits of industry, order, and temperance—a thirst for instruction and knowledge—a profession of the Christian religion, and apparently a cordial and humble belief of its truths, and enjoyment of its blessings. In this change the Methodists have been chiefly instrumental. They have manifested the most benevolent zeal in accomplishing it; they have sent Missionaries, and established Schools among them, which are supported by voluntary contributions, and they are still labouring among them with the same disinterested spirit, and the same surprising encouragement and success."

It is in aid of an Institution for Education in a new country,—already nearly brought into operation,—under the direction of a body of Christian Teachers whose labours have been so eminently and extensively useful in promoting the religious and moral interests of Canada generally, and in ameliorating the religious and civil condition of the aboriginal tribes,—that an appeal is now made to British Protestant Christianity and benevolence. Shall it be made in vain?

CORRESPONDENCE IN REGARD TO A CHARTER FOR THE UPPER CANADA ACADEMY.

The correspondence in regard to the granting of the Charter of Incorporation of the Upper Canada Academy, which follows, is singularly unique of its kind. The character of that correspondence, and its results, furnish one of those striking episodes in the educational history of Upper Canada, which has had no parallel since that time. The long contest, which resulted in the modification, during the year 1837, of the Royal Charter of King's College, was another memorable episode in our educational history, but it was totally different in its character, from the one relating to the Charter of Upper Canada Academy; for the one was stormy, if not bitter of its kind, while the other was peaceful, and, on the whole, satisfactory in its results.

It seemed, at first sight, a simple and easy thing for so large and influential a religious Body to collect sufficient funds, and to obtain an endowment for a popular Institution, and also to secure for it an Act of Incorporation. But it was not so, in the case of the Upper Canada Academy. Such an experiment, as was attempted by the Methodist Conference in 1830-1836, might prove—(as it has proved in the case of the new Victoria and other Colleges, in 1890-1894)—a success in these days; but such an experiment was well nigh a failure when attempted, sixty years ago.

The story of that partial failure and partial success is both deeply interesting and highly instructive. The weary and disheartening efforts on the part of the Reverend Egerton Ryerson to collect funds* would have resulted in the closing of the Academy doors, had not the popular branch of the Upper Canada

* "Not having been able to effect any loan from private individuals . . . and being in suspense as to the result of my application to the Government, I was several months pressed down by anxiety and fear by this suspense, and by reason of the failure of my efforts to obtain relief." (*Story of My Life*), pages 165, 166.

Legislature, under leaders, who were Members of a sister Church,* (moved by the generous promptings of the then Colonial Minister, see page 240), saved the Institution from bankruptcy, by voting for its relief the large sum, in those days, of over sixteen thousand dollars, (\$16,000).

The Charter itself would have failed to pass the Great Seal, had not its promoter been skilful enough to deal with perplexing questions in regard to it, as they arose; and had he not also been able to prove, to the satisfaction of the distinguished Law Officers of the Crown in England, that the principles, which the Charter embodied, were quite in harmony with those that prevailed in Canada, and were acknowledged by all parties in England. He was further able to show that the status, which the Charter accorded to the Methodist Body in this Country, had previously been granted to it, and was so recognized in the Statute Law of Upper Canada. And the example, which he cited in proof, was an Act of the Provincial Legislature relating to the right to solemnize matrimony, which had received the sanction of the Imperial Government, and the formal assent of the Crown. (See pages 258 and 259 of this Volume.)

The correspondence itself, in its general character, practically involved a discussion of the relations of the Imperial Government and the Canadian Colony,—as it was called in those days,—and of the Non-conformists in it.†

In dealing with the question of granting aid to the newly established Academy at Cobourg, in money or in land, the reply of the Colonial Secretary was clear and distinct, as to his refusal to do so. When the example of the Duke of Portland, Colonial Secretary, in 1797, was appealed to as a precedent, in 1836, for Lord Glenelg, in making a grant of land to the Academy, Sir George Grey on behalf of the Colonial Secretary, in his reply of the 29th of February, 1836, said:

I am desired to remind you that, since the date at which the endowment was conferred on King's College, an entire change has taken place in the system under which land in His Majesty's Colonial Possessions is disposed of. The practice of making free grants has been altogether discontinued; and the benefits which have resulted from the alteration at once justify its adoption, and forbid any departure from it in future.

Again, when the promise of Lord Goderich, (afterward Lord Ripon,) made personally to the Reverend Egerton Ryerson in 1833, was quoted as a ground of claim for a pecuniary grant to the Academy, the reply of the Colonial Secretary was equally decisive, and it pointed out that:

Considerable changes have taken place in the Canadas since [Lord Ripon's time]—The present political aspect of those Provinces, involving, as it does, the question of the control over the appropriation of the Casual and Territorial Revenues, must, for the present, preclude His Majesty's Government from placing any new charge on those funds . . . and they would not feel justified in applying to the Imperial Parliament to assume the office of the Local Legislature, by the grant of pecuniary assistance from the revenues of the Mother Country . . .

* "The Chairman of the Select Committee of the House of Assembly in favour of aiding the Institution, (Mr. Draper). . . is a strict Churchman; Mr. Ruttan who brought in the Bill (granting the aid) is also a Churchman; so likewise is the Solicitor-General (Mr. Hagerman) and Mr. Prince, Mr. Gowan. . . Mr. Cameron is a Member of the Church of Scotland; and Mr. Manahan is a Roman Catholic." *Letter of Reverend Egerton Ryerson to Lord Glenelg, dated 18th of April, 1837.*

† The novelty of this application, in 1836, for a Charter for a non-Episcopalian Institution of Learning, is thus referred to in the "Explanatory Observations, made by the Reverend Egerton Ryerson, at the preparatory opening of Victoria College, in October, 1841." He said:

"His late Most Gracious Majesty, William the Fourth, of precious memory, first invested this Institution, in 1836, with a corporate Charter as an Academy—the first Institution of the kind established by Royal Charter, unconnected with the Church of England, throughout the British Colonies." (Page 15.)

Incidentally, this doctrine of non-interference with the right of the Provincial Legislature to deal with its own Crown Lands and Revenues, was applied also to the powers of the same Legislature to modify, at its pleasure, and without the intervention of the Imperial Government, (unless asked for,) the Royal Charter of King's College. In reply to the Despatch of Sir John Colborne of May the 6th, 1835, in which he suggested amendments to the Charter by the Imperial Government, Lord Glenelg declined to do so, and said :

As I find it impossible to act upon the recommendation which you have tendered to His Majesty's Ministers, I think I shall best discharge my duty by announcing to you that decision without delay, or hesitation.

The reasons for coming to this decision are thus stated by Lord Glenelg :*

First : Your plan 'departs in every one essential particular from that which the House of Assembly, in their last session, sanctioned by their votes. It is not likely they would be satisfied to have their judgment overruled by the direct interposition of the Royal authority.

Secondly : The Earl of Ripon, (lately Lord Goderich,) referred the matter to the discretion of the Provincial Legislature. They would scarcely otherwise than be displeased with the retraction of His Lordship's order.

Thirdly : The decision of such a question by His Majesty's advisers in this Kingdom, would be condemned with plausibility, and not indeed without justice, as a needless interference in the internal affairs of the Province.

Thus we see, that, in none of these replies from the Colonial Office, was there any disposition to dictate to, or control, the action of the Legislature of Upper Canada in any way ; and the doctrine of non-interference, in local matters, was clearly laid down.

On the 2nd of January, 1836, the Reverend Egerton Ryerson called at the Colonial Office to present his letter of introduction from Sir John Colborne to the Colonial Secretary, Lord Glenelg, (who was absent). The Under Secretary, Mr. (afterwards Sir) James Stephen,† promised to present Sir John Colborne's letter to Lord Glenelg and to arrange for an interview with him. This did not take place as soon as was expected, so that the Reverend Mr. Ryerson, had by letter, to seek an interview with Lord Glenelg, the Colonial Secretary. In his letter to Lord Glenelg of the 10th of January, 1836, he said :

As I have been deputed to this country on behalf of a numerous and meritorious denomination of Christians in Upper Canada, and for the accomplishment of an object towards which the inhabitants of that Province voluntarily contributed to an amount beyond all precedent in so young a colony ; and as it will be impracticable for me to accomplish any other part of my mission until I shall have had an opportunity of laying the matter before Your Lordship and learned the result of your deliberations on it, I shall be glad to be favoured with an interview with you on the subject.

20 GUILFORD STREET, 10th January, 1836.

EGERTON RYERSON.

No reply having been received to this letter, a second one was sent to Lord Glenelg on the 24th of January, 1836, requesting the favour of an interview ; and

*Lord Glenelg was born in India in 1778. He became a Member of Parliament in 1807, and Secretary of Ireland from 1819-1822; Vice-President and President of the Board of Trade from 1823 to 1828; President of the Board of Control from 1830 to 1834 ; from 1834 to 1839, he was Colonial Secretary under the Administration of Lord Melbourne, and in 1835 he was raised to the Peerage. Having approved of Lord Durham's Ordinance in reference to the Canadian rebel prisoners of 1838, he was compelled to resign in 1839, when he retired. He died in 1886, aged 88 years.

† Sir James Stephen graduated at Cambridge in 1812, and was called to the Bar soon afterwards, was Counsel for the Colonial Department, and, in 1834, became Assistant Under Secretary for the Colonies. Soon after he became the permanent Under Secretary. He retired in 1847, and, in 1849, became Regius Professor of History in the University of Cambridge. He was a noted writer in the *Edinburgh Review* etc. His Lectures on the History of France were of a high order. He died in 1859, aged 70.

on the 28th of January, he also addressed the following letter to Sir George Grey, Under Secretary, seeking an interview with him :

I have been deputed to this Country on behalf of the Wesleyan Methodist Church in Upper Canada, for the promotion of an object of great public utility in the educational improvement of Upper Canada—an object, on behalf of which the Ecclesiastical Assembly of that Church addressed His Majesty a few months since. Having been informed that the Canadas are connected with your Department in the duties of the Colonial office, I take the liberty to request the honour of an interview with you at your earliest convenience, on the object of my Mission.

20 GUILFORD STREET,

28th January, 1836.

EGERTON RYERSON.

A favourable reply to this letter, dated the 2nd of February, 1836, was received.

As the result of these letters, several conferences, more or less satisfactory, took place afterwards at the Colonial Office. An interview was also had with the Right Honourable Edward Ellice on the 6th of February, 1836; after which the following letter was addressed to him :*

In the interviews with which I was honoured by you, when I was in this country in the summer of 1833, I mentioned to you the contemplated establishment, by voluntary subscription, of a Seminary of Learning under the direction of the Conference of the Methodist Church in Upper Canada, and adapted to the general circumstances of the Province; and that, when we should have completed the buildings, we would make application for a Royal Charter and assistance from His Majesty's Government, to promote the efficient and extended operations of the Institution. You expressed a strong desire for the success of this undertaking, and with a generosity and kindness which both surprised and affected me, presented me with fifty pounds, (£50,) to promote it, and assured me of your readiness to support by your influence any reasonable application that might be made in behalf of so noble an object. In an interview with Lord Ripon, formerly Lord Goderich, (who had a few weeks previously retired from the Colonial office,) with which I was honoured during the same week, in which I received so unexpected and valuable a token of liberality from you, he expressed the same sentiments and feelings with yourself, and kindly suggested to me the proper mode of making application, in order to ensure success. The Buildings of this educational establishment are now completed, and are sufficiently spacious to accommodate one hundred and seventy, (170,) pupils, with lodgings, etc.—sixty more than attend the Upper Canada College.

A Principal has been engaged; and the Institution will be opened on the first of next June, if our expectations of encouragement in this country are not disappointed. I have been sent by the authorities of the Methodist Church in Canada to promote an application, which was made to His Majesty's Government by the last annual Conference of its Ministers, for a Charter and assistance, in the manner recommended by Earl Ripon. I have reason to believe that no nobleman in England can do so much to forward the objects of my Mission as yourself—no one has given so strong an expression of his desires to do so—nor do I suppose any one in this country is so well acquainted with the wants and circumstances of Upper Canada.

You are aware of the great labours, usefulness and justly required influence of the Methodist denomination in Upper Canada—that its Ministers have never received, nor asked for, any grants from Government for their support: notwithstanding their many privations and extensive travels and arduous toils in that new country; and that our present application is in behalf of an object purely educational, upon broad and liberal principles—an object to which the inhabitants of that infant Province have voluntarily contributed four thousand pounds, (£4,000,) and which has been strongly recommended by His Excellency Sir John Colborne.

* The Right Honourable Edward Ellice was Secretary to the Treasury Department, from 1830 to 1833; he then became Secretary of the War Department. He died in 1863, aged 77 years. In the Diary which the Reverend Egerton Ryerson kept, during his visits to England in 1833 and in 1835-1837, the following entries occur :

London, June 24th, 1835.—I had an interview with Right Honourable Edward Ellice, on Canadian affairs; a man of noble spirit, liberal mind, and benevolent heart. He . . . manifested an earnest desire to promote the welfare of Upper Canada. I gave him an account of the political and religious affairs in Upper Canada, with which he expressed himself pleased, and gave me £50 for the Upper Canada Academy.

London, February 13th, 1836.—Had an interview with the Right Honourable Edward Ellice; was received with great kindness; he promised to use his utmost influence to promote the object of my mission at the Colonial office. *Story of My Life, 1855, pages 117 and 160.*

Under these circumstances I take the liberty to solicit an interview with you on the object of my Mission to this country at your earliest convenience.

20 GUILFORD STREET,
6th February, 1836.

EGERTON RYERSON.

After several interviews with Lord Glenelg, the Colonial Secretary, and Sir George Grey, the Under Secretary, an elaborate Statement of the purpose and objects of the Upper Canada Academy—to obtain a Royal Charter for which was one of the reasons which necessitated this Mission to England. The Statement, when prepared, was sent to Lord Glenelg with the following note:

I have the honour to enclose herewith a written statement explanatory of the objects, character, etc., of the literary Institution respecting which I was the other day honoured with an interview by Your Lordship; and also the nature and grounds of our application to His Majesty's Government, and the reasons which I submit to Your Lordship's judgment respecting the expediency, (in the present state of the church-establishment question in Upper Canada, and also from other considerations, which I have mentioned,) of referring us, for the question of a grant and endowment, to the Colonial House of Assembly.

Not on my own account, nor on account of any merit in the accompanying statement, but for the sake of the important object and interests to which it refers, I entreat Your Lordship's examination of it, as I am sure your kindness and desire to promote Education amongst all classes of His Majesty's subjects in the colonies, as well as at home, will incline you to come to the most favourable conclusion. The sum of money applied for is a mere fraction to His Majesty's Government, but is very important to the object for which it is asked.

I have prepared and herewith transmit a draft of the Charter prayed for,—prepared in accordance with the constitution adopted and published when the establishment of the Institution was determined upon, and when subscriptions for the erection of the requisite buildings were solicited and procured in Canada.

20 GUILFORD STREET,
12th February, 1836.

EGERTON RYERSON.

On the same day the following letter was addressed to Sir George Grey asking his attention, with that of Lord Glenelg, to the enclosed "Statement":

I herewith enclose the Statement addressed to Lord Glenelg, which you recommended me to draw up respecting the proposed literary Institution in Upper Canada. . . . I earnestly beg an examination of it by yourself, as well as by Lord Glenelg.

As you seemed to inquire with deep interest in regard to the effects of Christianity upon the habits and condition of the Indian Tribes in Upper Canada, I take the liberty to enclose for your perusal a copy of our last Missionary Report. . . . As I have referred to it in my communication to Lord Glenelg, I will thank you to put it into His Lordship's hands when you shall have perused it. . . . From that report and the Minutes of the last Canadian Conference, it will appear obvious that the aid granted by His Majesty's Government to the Wesleyan Methodist Committee has been wholly applied to the instruction of the Indian Tribes, and no part of it towards the support of the Methodist Ministry in Upper Canada.

The American Secretary at War, in his last official report, speaking of the various measures which Government had adopted for the benefit of the Indians in the United States, says that "Churches are built and Missionary Institutions among them are aided from the Treasury of the United States."

20 GUILFORD STREET,
12th of February, 1836.

EGERTON RYERSON.

STATEMENT, EXPLANATORY OF THE OBJECTS AND PURPOSE OF THE UPPER CANADA ACADEMY, ENCLOSED TO LORD GLENELG, ON THE 12TH OF FEBRUARY, 1836.

I take the liberty to lay before your Lordship a written statement in regard to the Seminary of Education, respecting which I had the honour of an interview with your Lordship on the 26th ultimo.*

* In the Diary of the Reverend Egerton Ryerson, the following entry was made: *January 26th, 1836.*—"Had an interview with Lord Glenelg, on the subject of my mission. We can get a Charter for the Upper Canada Academy; but assistance is uncertain. His Lordship was very courteous and communicative. He thanked me for the information which I gave him concerning the Colonies." (*Story of My Life, 1833, page 159*)

How established and governed.

This Institution has originated with, and is to be established under the direction of the Conference of the Methodist Church in Canada, by whose exertions the greater part of the funds requisite to erect the Buildings has been procured. The affairs and government of the Institution are placed in the hands of a Board of Trustees and Visitors, the majority of whom are laymen; see pages 3, and 5 of this Volume.

Character and objects of the Institution.

It is not to be a Theological, but a Literary Institution, "for the instruction of youth and students in the various branches of science and literature." The children of the Methodist Ministers are to be received into the Institution upon the same terms with other youth of the Canadas. The specific objects of the Institution are the following:

First.

"To educate upon terms equally favourable with similar institutions in the neighbouring State of New York and with strict attention to their morals, those youths of the Province generally whose parents or guardians may be able and desirous of having them educated there.

Secondly.

"To educate for Common School Masters, free of charge, poor young men of religious character and promising talents, who have an ardent thirst for knowledge.

Thirdly.

"To educate the most promising youth of the converted Indian Tribes, as Teachers to their aboriginal countrymen." (See Prospectus of the Academy, on page 241.)

The necessity of such an Institution.

There is no Institution of the kind in Upper Canada. For want of one, sixty of the youth of that Province are now attending Seminaries of Learning, under similar management in the United States, where nearly two hundred of the Canadian youth have been taught the elementary branches of a professional education, during the last eight years.

What number of students may be accommodated.

There is room within the buildings of the Institution for the residence, as well as tuition, of one hundred and seventy (170) students. This is as large a number as can be accommodated in the Boarding Hall of the Upper Canada College.

Cost of the building.

The buildings are of brick and are completed. The cost of them six thousand pounds, (£6,000.) Four thousand pounds, (£4,000,) of this sum have been voluntarily contributed by the inhabitants of that new Province,—a larger sum, in proportion to the circumstances and population of the country, than ten times that amount would be for a similar object in England. For the other two thousand pounds, (£2,000), the Trustees are individually holden to the Provincial Banks.

How defrayed.

Two thousand pounds, (£2,000,) are wanted to relieve the Trustees. About the same sum will be required to furnish the establishment, exclusive of the Library.

Amount requisite to relieve the Trustees and bring the Institution.

A Royal Charter, and a grant of four thousand pounds, (£4,000,) is asked for to relieve the Trustees, to aid in part towards furnishing the establishment, and in purchasing a Library. This sum is the same in amount as that which has been obtained by voluntary contribution in Upper Canada.

What applied for to His Majesty's Government. Reasons on which this application is founded.

I shall endeavour to make up the deficiency by application to individuals in this country. What is further required is an endowment of lands; also a small annual grant of £300 a year for five or six years, until the lands shall have become available, by producing an annual income. Philosophical apparatus are also required.

First Reason.

First Reason.—Two hundred and twenty-five thousand, (225,000,) acres of land have been granted by His Majesty's Government as an endowment to the University of King's College, and also a grant of £1,000 sterling a year for 16 years (out of payments for lands by the Canada Company; see page 227 of this Volume.)

U. C. College

The buildings of Upper Canada College also have been erected by the Crown, in addition to which it has been endowed with a grant of sixty-six thousand, (66,000,) acres of land, and an income of upwards of two thousand pounds, (£2,000,) per annum.

Charter.

We ask that an Institution, the Buildings of which have been erected by voluntary subscription, may be chartered by the same authority as the above mentioned Colleges, and endowed in the same manner, although we do not ask aid to the same amount.

Second Reason

Second Reason.—In a despatch from His Majesty's principal Secretary of State for the Colonial Department, to His Excellency, Sir John Colborne, Lieutenant-Governor of Upper Canada, dated Downing street, 8th November, 1832* it is stated that "there is no one object connected with every part of his extensive dominions which His Majesty has more at heart than the general diffusion of sound knowledge in the legitimate and most enlarged sense of that term. This is not merely the first and highest interest of Society, but is essential to the right use and peaceable enjoyment of every other civil and social privilege. His Majesty now directs me

Lord Goderich's Despatch of November, 1832.

* See page 112 of this Volume.

to instruct you to forward to the very uttermost of your lawful authority and influence any scheme for the extension of Education amongst the youth of the Province, and especially amongst the poorest and most destitute of their number, which may be suggested from any quarter, with a reasonable prospect of promoting that great design. All minor distinctions should be merged in a general union for this important end, and, at the head of that union the Local Government should be found, encouraging and guiding, and, to the utmost of its power, assisting all the efforts which may be made to create and foster a taste for intellectual enjoyments and pursuits."

I doubt whether it would be possible to carry into effect so extensively, and at the same expense, amongst the middle and common classes in Upper Canada, these noble objects and sentiments recommended by His Majesty's Government in 1832, as through the medium of the Institution, on behalf of which I plead. Remarks thereon.

The Upper Canada College is principally attended by the children of persons connected with the Government, and of the highest class of gentry. It confers no immediate benefit upon the youth of the common classes of the population, though it is of great advantage to the Province, through the medium of the professions and higher classes. But the middle classes in Canada constitute the great body of the population, and it is from amongst these that so many youth are sent to Seminaries of Learning in the United States, to which Canadian youth have been and are being sent; they are, I believe, with one exception, under the direction of Methodist Conferences. I am able to state on good authority that nearly every one of these youth would be immediately brought back to Upper Canada and sent to the Institution, for which I solicit the encouragement of His Majesty's Government, as soon as it shall have been established, where the parents of such youth know equal attention will be paid to the morals and instruction of their children, and where they could be educated upon terms equally moderate. This Institution is established upon popular principles, for popular education; whilst one object contemplated in its establishment is the intellectual improvement of the poorest and most destitute of the Canadian population. The United States Government has granted aid to similar Institutions; to one, the sum of twenty-five thousand dollars, (\$25,000). Upper Canada College.
United States Seminaries.
Aid to Education in the United States.

Third Reason.—The Methodist denomination in Upper Canada have exceeded all others in their privations, labours and success. They are the most numerous body of Christians in the Province, and have, at least, as many congregations as both the Churches of England and Scotland. Of their character, influence and usefulness, I may refer to the testimony of His Excellency, Sir John Colborne. (Of the advantages which their labours have conferred upon the Province at large, from the earliest period of its history, the following extract from an Address of the Upper Canada House of Assembly to the King, agreed to almost unanimously in 1828, amply testify. "We humbly assure Your Majesty that the Methodist Preachers in this Province are a body of pious and deserving men who justly enjoy the confidence, and are the spiritual instructors of a large portion of Your Majesty's subjects in this Province. We are convinced that the tendency of their influence and instruction is eminently favourable to religion and morality; that their labours are calculated to make their people better men and better subjects, and have already produced in this Province the happiest effects."*) Third Reason.
Methodists predominate in Upper Canada.
Legislative endorsement of them.

In the Report of a Select Committee, (a Report adopted by the Upper Canada House of Assembly, with eight dissentient votes, and on which the Address from which the above extract is made, was founded, we have the following statement respecting the labours and usefulness of the Methodist Ministers in that Province: Similar Report of Select Committee.

"To the disinterested and indefatigable exertions of these pious men this Province owes much. At an early point of its history, when it was thinly settled and its inhabitants were scattered through the wilderness, and destitute of all other means of religious instruction these Ministers of the Gospel, animated by Christian zeal and benevolence, at the sacrifice of health and interest, carried among the people the blessings and consolations and sanctions of our holy religion. Their influence and instructions have been conducive, in a degree which cannot be easily estimated, to the reformation of their hearers from licentiousness, and the diffusion of correct morals—the foundation of all sound loyalty and social order."†

Since 1828, the members and congregations of the Methodist Church, (as can be shown from Official Reports,) have doubled in numbers, and the number of their regular Ministers have more than doubled, though supported wholly by the voluntary contributions of their hearers. Methodist progress since 1828.

* This paragraph formed part of an Address to the King, which was adopted by the House of Assembly on the 20th of March, 1828, by a vote of twenty-one yeas to nine nays, as mentioned on page 242 of the First Volume of this Documentary History. † *Ibid*, page 239.

What Methodists have done.

The Methodists are the only denomination of Christians in Upper Canada who have made a united and vigorous effort, by the aid of individual contributions, to promote Education in that important portion of His Majesty's Dominions ; and they only ask an equal contribution of co-operation on the part of His Majesty's Government, to enable them to pursue that laudable public object.

Fourth Reason.

What Methodists are doing.

Fourth Reason.—Though the Methodist Ministers have laboured so extensively and successfully in Upper Canada ; though there are now no less than ninety-five travelling, or itinerant, Ministers, (exclusive of what are termed "local preachers,") in that Province, each of whom preaches, upon an average, to from fifteen to thirty-five congregations every month ; though the Methodist Ministry has contributed so efficiently to elevate the religious and moral character of the Province in proportion to its increase of population, and to ameliorate, in so eminent a degree, the religious and civil condition of the aboriginal Indian tribes, and have been greatly instrumental in promoting that good feeling which exists in Upper Canada towards His Majesty's Government, yet they have never received any other pecuniary support than the voluntary contributions of their scattered congregations ; whilst, from a calculation I have made from printed reports, considerably above one hundred thousand pounds, (£100,000,) have been expended by Government in supporting the clergy of the Church of England in Upper Canada, exclusive of the proceeds, past and prospective, of the Clergy Reserve Lands. Considerable aid has, of late years, been granted by Government to the Church of Scotland. During the last two years His Majesty's Government has granted in all the sum of fourteen hundred and fifty pounds, (£1,450,) to the Wesleyan Missionary Committee in London, to promote the religious instruction of the Indian tribes and destitute settlers ; but, as the Missionary Report will shew, the whole of this sum, and also all other moneys at the disposal of the Society, have been expended in erecting School Houses for, and in the religious and educational instruction of, the Indian tribes. No part of it has been applied, or perverted, to the support of the regular Methodist Ministry, who, indeed, ask no pecuniary support from Government, but only help in promoting an educational object, in which they, as individuals, have but an interest in common with the rest of their Canadian fellow-subjects.

Fifth Reason.

Popular Despatch of November 8th, 1832.

Lord Ripon.

Mr. Ellice.

Sir J. Colborne.

Fifth Reason.—The Despatch of His Majesty's Government of November 8th, 1832, (the most popular Despatch ever sent to Upper Canada,) from which I have made the extract above, gave good reason to hope for efficient encouragement from His Majesty's Government to an effort for the promotion of Education, such as was being made under the direction of the Methodist Conference, by a large portion of the people of Upper Canada. When in this country in 1833, I mentioned the case of this projected Institution to Earl Ripon, (the noble Author of that Despatch,) in connexion with His Lordship's Despatch, which had afforded so much satisfaction to the people of Upper Canada, and His Lordship testified his good will by a personal donation, and informed me that he would have great pleasure in favouring with his influence an application to the Crown on behalf of such an Institution, and doubted not of its favourable reception, should it be recommended by the Lieutenant-Governor of the Province. The Right Honourable Edward Ellice, then Secretary at War, expressed sentiments similar to those of Earl Ripon. On consulting the Lieutenant-Governor of Upper Canada, His Excellency was pleased to express his warm approbation of the establishment of such an Institution, and of hearty willingness to recommend it to the most gracious and liberal consideration of His Majesty's Government. With such encouragement, the Trustees, notwithstanding the pressure of the times in that Province during the last two years, and the failure of anticipated resources and many subscriptions, proceeded upon their own personal responsibility, with the erection of the Buildings, nothing doubting that the then contemplated application to His Majesty's Government would be successful to their relief. I hope, indeed, it will be. If not, several worthy individuals will be seriously inconvenienced in their circumstances, and one or two, in all probability, reduced to distress.

The above, My Lord, is a simple statement of the case I have the honour to lay before Your Lordship. I might urge several other reasons in behalf of the present application, but I feel that it would be quite superfluous. There is, however, another point on which I must beg Your Lordship's indulgence to make a remark or two. It is the proposal, or intimation, to refer the matter to the consideration of the Provincial Legislature. I have maturely considered this, and I am satisfied that such a decision on the part of Your Lordship will be equivalent in its effects, at least for some years, to rejecting the application altogether. My reasons for this conviction are the following :

Reference to U. C. Legislature deprecated.

The House of Assembly will, I doubt not, entertain and approve of the object, and recommend an appropriation for the promotion of it ; but it will recommend this appropriation to be made from the Clergy Reserve Lands, and the proceeds of the sale of them. To such a proposition the Legislative Council will not agree, for reasons which I need not here repeat. That the House of Assembly will adopt this course, I am persuaded, Reasons.

First.—From its proceedings in very similar cases. I will point out the particular cases to which I refer, should Your Lordship desire it, on being permitted to turn to the Journals of the Upper Canada House of Assembly in the Colonial Office.

Second.—As it would be a most effectual means of arraying a stronger and more general popular feeling against the Episcopal Clergy Corporation and the Legislative Council.

Thirdly.—As it would be calculated to arouse into active exercise the preponderating influence of the Methodist denomination, and the friends of popular Education on the side of popular party in the Assembly, and against their opponents. The popular party in the House of Assembly are resolved to make every occurrence and interest subservient to the practical recognition of the long contested claims to the Clergy Reserve Lands to the purposes of General Education ; and of their course in the present supposed instance, I have not the least doubt. How far it may be desirable to contribute in this manner to the successful maintenance of these long contested claims, I need not here say ; but one effect must be to retard, if not altogether prevent, at least for several years, any legislative assistance being obtained for this Institution.

Another consideration I would submit to Your Lordship is, that, in referring the case to the Colonial Assembly, no present relief will be afforded to the enterprising but embarrassed Trustees. The persons who are responsible for the debt owing on the buildings of the establishment have individually contributed very largely ; no exertions have been spared to solicit individual liberality in the Province ; one only hope for the aid yet required is from this country,

Fourthly.—In the fourth place, I beg to remind Your Lordship of the earnest desire on the part of the friends of the Institution that it may be chartered and endowed by the same authority with King's and Upper Canada Colleges. Against the endowments of these Colleges no objection has ever been made by any party in the Province ; only serious exception has been taken to the exclusive character of King's College Charter.

I will only add further, (though it may seem merely political,) that a direct encouragement, on the part of His Majesty's Government, to so unprecedented and generous an effort to promote popular Education in Upper Canada, will secure to itself the, by no means inconsiderable, influence which, in the reference intimated and supposed, will be transferred to the democratic branch of the Colonial Legislature ; an event, I think, by no means desirable, considering the comparative powerlessness of His Majesty's Government in Upper Canada, in respect to means of popular influence, to what it possesses in this country. Final appeal.

I, therefore, most respectfully and earnestly entreat Your Lordship to take the whole matter into your serious and most gracious consideration and to afford such patronage and aid as may comport with Your Lordship's sense of duty, and a kind regard to the best interests of Education, amongst the mass of the Canadian population.

EGERTON RYERSON.

Not having received any reply to his letter of the 12th of February, and this enclosed Statement, the Reverend Egerton Ryerson again addressed a strong letter to Lord Glenelg on the 23rd of February, 1836. To this letter, the following answer was sent, under date of the 29th of that month :

I am directed by Lord Glenelg to acknowledge the receipt of your letters to His Lordship of the 12th and 23rd instant.

I have also laid before him your letter to myself of the 21st instant. In reply I am to make you the following communication.

His Lordship desires me to express his sense of the exertions which have been made by the Conference of the Methodist Church in Canada for the diffusion of Education among all classes of the inhabitants. On this subject he adopts without reservation the sentiments which you

have quoted from Lord Ripon's Despatch of the 8th November, 1832 ; and he directs me to assure you that the interest which His Majesty, at that time, expressed, in the diffusion of moral and religious instruction throughout his Dominions, has undergone no change. It would, therefore, be Lord Glenelg's imperative duty, no less than his anxious wish, to follow out the benevolent intentions of His Majesty, by affording every assistance in his power to those who have devoted themselves to the promotion of so important an object; and he would, accordingly, be most anxious to discover a means of relieving the Trustees of the Seminary of Learning from the pecuniary embarrassments detailed in your letter of the 23rd instant, a statement which His Lordship has perused with deep interest. But I am, at the same time, to remind you that considerable changes have taken place in the Canadas, since the date of Lord Ripon's Despatch.

The present political aspect of those Provinces, involving, as it does, the question of the control over the appropriation of the Casual and Territorial Revenue must, for the present, preclude His Majesty's Government from placing any new charge on those Funds ; and, I need scarcely observe that however highly His Majesty's Government might approve of an Institution established within either of those Provinces for the instruction of youth, and however much they might appreciate the exertions of individuals towards its support, they would yet not feel justified in applying to the Imperial Parliament to assume the office of the Local Legislature, by the grant of pecuniary assistance from the revenues of the Mother Country ; nor, should they consent to do so, could they hope that an application in favour of an object so purely Colonial would be successful.

Lord Glenelg has attentively weighed the arguments which you have urged against a reference of this question to the Provincial Legislature. His Lordship would be unwilling to offer a recommendation which you appear to consider as nugatory ; but, after the foregoing statement, he trusts that you will perceive that there is no other quarter from which it would be possible for you to derive assistance. Nor can he permit himself to anticipate that the Legislative Bodies of Upper Canada would allow a question of such general interest to be perilled by the contests of party, or, by the ephemeral passions of the moment. He cannot, except on unquestionable proof, abandon his conviction that the Representatives of the People, and the Legislative Council will be ready to co-operate in any measure well calculated to promote the morality and to elevate the character of their less wealthy fellow-subjects.

Among the advantages which you solicit for the Institution in question, is an endowment in land, and you refer to the precedent of King's College, in support of your application.

I am desired, however, to remind you that since the date at which that endowment was conferred on King's College, an entire change has taken place in the system under which land in His Majesty's Colonial Possessions is disposed of. The practice of making free grants has been altogether discontinued ; and the benefits which have resulted from the alteration at once justify its adoption and forbid any departure from it in future.

I am further to remark that the experience of other Colonies does not hold out any fair prospect of obtaining an income from such an endowment, but, rather leads to the inference that land cannot be advantageously employed by a numerous Body, not under the stimulus of immediate personal interest, or at liberty to devote their whole time and attention to its management. Under these circumstances, Lord Glenelg feels himself precluded from granting an endowment in land to the Institution in whose behalf you have applied.

GEORGE GREY.

DOWNING STREET,
29th February, 1836.

On receiving this letter from Sir George Grey, the Reverend Egerton Ryerson addressed the following letter to the Right Honourable Edward Ellice, supplementary to the one sent to him on the 6th of February, 1836. (See page 246.) In its tone, it is both pleading and pathetic—the latter, especially at its close. It was evidently written under a strong feeling of disappointment at the decision of the Colonial Secretary not to afford any pecuniary assistance to the already overburthened Trustees of the Academy at Cobourg. It is not dated, but it was written, "about midnight," after the writer had, as he said, "returned from a public meeting" in which he had taken part.

I had understood that the Canadas were so entirely out of your Department that it would be of no use to see you on the subject of my Mission to this country ; but I feel that for any

success which may attend the application which I have had the honour to lay before His Majesty's Government, I shall be indebted to your kind interposition more than to that of any other individual.

I had, indeed, relinquished all intention of repeating, or pressing, my application for pecuniary aid to the Institution . . . because I thought, from the answer of Lord Glenelg, (through Sir George Grey) [of the 29th of February, 1836,] that in the granting of the aid asked for would infringe upon a cause of policy which His Majesty's Government had, upon mature deliberations, deemed necessary to adopt in administering the Government of Upper Canada. And, I thought we had better suffer, than desire the Government, in the least degree, to embarrass itself.

This is the first favour which we have ever asked of the Government. It has always been my aim to throw as few difficulties in the way of administering the Government as possible.

For several years past I have, as Editor of the *Christian Guardian*, avoided agitating questions in the Provinces which I thought that the Government ought to settle, and the settlement of which I have endeavoured to promote by private letters to gentlemen connected with the Executive Government, and by strong representations to Sir John Colborne, the Lieutenant-Governor, in personal interviews.

I do not ask a farthing for myself, or for the Wesleyan Methodist Ministers in Canada,—notwithstanding the strong, as well and well-supported claims we have to a portion of the Clergy Reserves. But, if aid can be afforded to this Institution, without interfering with the general plans of the Government, I feel satisfied that, to no other object can a portion of the proceeds of the Crown Lands be more advantageously and usefully applied.

I really think that our application is moderate indeed, considering the grants which have been made even for the personal support of Ministers of the Church of England and Scotland,—besides other advantages,—and considering that, (even from the confessions of those not very friendly to us,) the Methodists are by far the most numerous, and have, from the earliest period in the history of the Province, been the most active and useful denomination of Christians.

I know not that I can urge any additional arguments upon the attention of Lord Glenelg. If you will employ it, I place ten times the reliance upon your personal mediation and influence with His Lordship, than anything I can say, in the most laboured communications.

I know that references of a personal nature are, in general, unbecoming. . . . But it may further satisfy you that your good-will and kind assistance will not be misplaced, or do other than extend British influence, when I state that my Father was an Officer in the British Army during the American Revolution, and is still on half-pay,—that he has held office under the Government for more than half a century, and has been successively, for many years, High Sheriff, Chairman of the Quarter Sessions, and Colonel of the First Regiment of Militia, in the London District, Upper Canada;—that, on account of his great zeal in defence of the Country, the United States Government offered a large reward for his apprehension during the last war (of 1812);—that all of his Sons have held offices under the Government, up to the time of our entering the Christian Ministry, in which three Brothers, besides myself, are now employed among the Wesleyan Methodists in Upper Canada. But, at the same time, I should in candour say, that, as far as is proper to our profession, we have been as anxious to promote a liberal constitutional Government, in time of peace, as we have been zealous to defend it in time of war.

I have been betrayed into this ego'istic statement by the remark made by Lord Glenelg today in reference to extending British influence in Upper Canada.

EGERTON RYERSON.

20 GUILFORD STREET.

On the 3rd of March, 1836, the Reverend Egerton Ryerson replied to the letter of Sir George Grey's, dated the 29th of February. I only quote those parts of it which deal practically with the question, as it then presented itself to Mr. Ryerson, and which was painfully pressed upon his attention, owing to Lord Glenelg's decision in the matter. After acknowledging the courtesy and fairness with which his requests had been considered, he proceeded :

While, (by this decision,) I find myself, as well as the Trustees of this Institution, placed in a situation too painful to think of, far be it from me to complain of, or attempt to persuade His Majesty's Government to depart, in a particular case, however pressing, from great principles and plans of Colonial Government, which its experience and matured deliberations have

deemed expedient to adopt and promulgate. I beg, however, to remark that the decision of His Majesty's Government, in respect to the Casual and Territorial revenues of Upper Canada was not known when I left that Province; nor was I aware of the change in the Land Granting Department, mentioned in your letter, at least so far as to prevent the endowment by the Crown of any public Institution deserving of its patronage and encouragement.

When the Buildings of this Institution were sufficiently advanced to justify, in the opinion of its promoters, an application for a Charter, etc., it became a question of deliberation as to whom and how application should be made. Sir John Colborne was consulted on the subject, I think, in February, or March, 1835. The conclusion was that, as the Lands and Casual and Territorial Revenues were at the disposal of His Majesty's Government—as in the King's College case, encouragement had been held out in favour of this Institution by two of His Majesty's Ministers in 1835—and as the consideration of the question would not be affected here by the collisions of local party feeling—it was most advisable to address His Majesty on the subject. Accordingly, the Conference of the Wesleyan Methodist Church, at its Annual Meeting in the following June, adopted a Memorial to the King, praying for a Charter, a grant and endowment. Obtaining no intelligence of the reception of this Memorial, the Trustees being likely to become embarrassed, I was requested, and I consented, at great personal inconvenience, to proceed to this country with a view of drawing the attention of His Majesty's Principal Secretary of State for the Colonies to this application, and endeavour by aid derived from Government, and from individual liberality, to remove the impediments to the immediate and efficient operations of the Institution. Such are the circumstances, under which we have been induced to lay this matter at the foot of the Throne. (*Note.*—As to the Memorial, see page 239 of this Volume.)

Permit me also to observe that it is far from my belief, much more from my intention, to intimate that a "recommendation" from His Majesty's Government to the Provincial, in this, or on any subject would be "nugatory." On the contrary, I believe such a recommendation would have great weight, and would exert a very salutary influence in several respects. But, what I desired and intended to impress upon His Lordship's mind was :

First. That a reference of the application to the Provincial Legislature—even if successful,—would not relieve the Trustees from their present embarrassments; as such an application cannot be made before the next Session of the Provincial Parliament.

Secondly. That I doubted our obtaining assistance from the Local Legislature, while the Clergy Reserves question remained unsettled. My apprehension on this point arose, not merely from the reasons I specifically stated, but from the fact that appropriations out of the Clergy Reserve Fund have been resolved on for School purposes, and these have failed in the Legislative Council. (See pages 165 and 196 of this Volume.)

Nor did I wish to be understood to intimate that this course of proceeding originated from "ephemeral passions of the moment," but an opinion entertained by a large majority of the House of Assembly, and, I may add, of the people of Upper Canada, that every interest should be made subservient to the recognition of the long-asserted wishes of the people in favor of the appropriation of the Clergy Reserves and the proceeds of the sale of them to the purposes of Education. And my remarks on this point were intended also to refer principally to the sum required to relieve the Trustees, and to bring the Institution into immediate operation, and not to aid which might be afforded to it in future years.

I should consider it a dereliction of duty to those on whose behalf I act, were I not to state frankly the disappointment which must be felt at the decision come to by His Majesty's Government respecting landed endowments for literary institutions; a decision which entirely extinguishes the hope of ever obtaining any permanent aid of this kind; and, especially, as this decision affects exclusively, in Upper Canada, the Institution being established by the Methodist Conference, inasmuch as King's College University has been already endowed with three hundred and twenty-five thousand (325,000,) acres of land and one thousand pounds (£1,000,) sterling per annum, for sixteen years,—(out of the proceeds of the sales to the Canada Company), although the buildings are not yet erected; and Upper Canada College has been endowed with sixty-six thousand, (66,000,) acres of land, and an annual grant of one thousand pounds sterling, (£1,000,) although the number of students taught in it has only averaged from one hundred to one hundred and thirty; and although the experience of other Colonies may lead to an unfavourable conclusion, in respect to such endowments, yet, I think it will be found, on examination of the several reports of sales of lands in Upper Canada, that the lands placed at the disposal of the King's College Corporation have been managed as advantageously, in proportion to the quantity possessed, as the lands managed by the Crown Commissioners, or by the Agents of the Canada Company. Another circumstance which must add to the poignancy of the disappointed expectations of the numerous friends of this Institution is, that the Ministers of the Wesleyan Methodist Conference have never asked, nor received, nor do they now ask from His Majesty's Government one farthing for their individual support, although they have not, to say the least, been

behind the very chief of their brethren in privations, labours and usefulness in Canada. And, whatever changes may have taken place in Upper Canada, during the last four years, in other respects, I beg to assure his Lordship that no change has taken place in the views expressed by the House of Assembly respecting the Casual and Territorial Revenues for these last ten years.

The writer then proceeded to say that he made these remarks with a view :

To correct erroneous impressions in some particulars, which have been received from my Statement ; to explain several circumstances referred to in your letter, and to acquit myself fully in the judgment of those for whom I act. I trust his Lordship will quite approve of the liberty I have taken, and believe that I have said nothing which has not been dictated by conviction, and by a sense of duty.

I have now (from Lord Glenelg's decision) but two resources left : The one is, to try and collect, by application to individuals, the sum necessary to relieve the Trustees ; the other is, to try and borrow, on the security of the premises on which the Buildings of the Institution have been erected, a sufficient sum of money to enable the Trustees to bring it into operation at the time appointed. In proceeding to accomplish both of these objects, His Lordship will perceive the importance of my being made acquainted with, and being able to state, the decision of His Majesty's Government respecting that part of our application which related to the Charter. For I can, of course, solicit individual liberality, and negotiate a loan with much greater probability of success, if I can say that the Institution is chartered by Royal Authority, than otherwise. As neither His Lordship, nor yourself, has expressed any objection whatever to recommending a Charter to be granted, I have assumed that, in this respect, the application of the Methodist Conference would be approved of. But, whatever may be my hopes, I can have no authority to state anything on this point until I shall have learned the decision of His Lordship. The application I have had the honour to present is now reduced to two points : 1. A Charter ; 2. The recommendation of His Majesty's Government to the Provincial Legislature, that, at a future session, it may make an appropriation in furtherance of the objects of this Institution.

I beg therefore to be informed of the result of His Lordship's deliberation on these two points. I do earnestly hope and pray that they will be favourably entertained.

20 GUILFORD STREET,
3rd of March, 1836.

EGERTON RYERSON.

This letter was not replied to until the 18th of March, 1835, when Sir James Stephen, one of the Under Secretaries of State for the Colonial Department wrote to say that Lord Glenelg had :

Referred to the Law Officers of the Crown the question, whether any legal objection exists to the issue of such a Charter, and, until His Lordship shall receive an answer to that reference, it will not be possible for him to adopt any decision on the subject.

In regard to the second point alluded to in your letter, Lord Glenelg directs me to state that he will not fail to direct the Lieutenant-Governor of Upper Canada to recommend to the favourable attention of the Legislature of that Province the claims of the Upper Canada Academy to their protection and support.

DOWNING STREET,
18th March, 1836.

JAMES STEPHEN.

On the 21st of March, Mr. Ryerson, in a letter to Sir James Stephen, thus acknowledged the kind intention of the Colonial Minister to recommend the claims of the Upper Canada Academy to the favourable consideration of the Upper Canada Legislature. He said :

I cannot deny myself the satisfaction, on behalf of those by whom I have been sent to this country, to express my grateful acknowledgments to His Lordship for this liberal and valuable expression of approval and recommendation on the part of His Majesty's Government of an Institution and efforts to promote it, which I am satisfied will not be found, (to say the least,) inferior to any yet contemplated, in promoting the educational and moral interests of Upper Canada. . . . I have been assured by the Law Officers of the Crown that no delay would attend the consideration of the Charter by them. I hope, therefore, soon to be favoured with His Lordship's decision on this point also, so that I may be enabled to proceed to negotiate, if possible, a loan, in order to aid in relieving the Trustees from embarrassments which are every day pressing more heavily upon them.

20 GUILFORD STREET,
21st of March, 1836.

EGERTON RYERSON.

On the next day the Reverend Egerton Ryerson addressed the following supplementary letter to Sir James Stephen. He said :

In my letter to Sir George Grey, of the 3rd instant., I [did not press] any further the application which the Wesleyan Methodist Conference in Canada had made to His Majesty's Government for pecuniary assistance to the Trustees of the Institution for Education about to be opened at Cobourg, in Upper Canada. Upon further and more mature consideration I . . . earnestly desire that the explanatory remarks and observations contained in that letter may be . . . taken into consideration, with the view [of granting the aid asked for.]

I would also submit to His Lordship whether the latest proceedings of the Upper Canada Legislature do not confirm the apprehensions which I expressed in my communication of the 13th February—that little aid can be expected from the Provincial Legislature until after the adjustment of the Clergy Reserve Question and the other questions of Colonial Revenue.

In comparatively small legislative bodies, while strong party feeling exists, His Lordship is fully aware how little probability there is of a subject, such as I have had the honour to submit to him, receiving the grave and impartial consideration which it deserves. And, as I learn from the last received numbers of the official periodical of the Wesleyan Methodist Conference in Canada, the *Christian Guardian*, that the Royal Instructions to, and the Administration of His Excellency Sir Francis Head, receive their cordial and decided support,* I do not wish that the Methodist denomination should, at the present juncture, at least, be placed in those circumstances of almost entire dependence upon the favour of the Opposition party in the present Assembly, as they will be, if His Majesty's Government afford no pecuniary aid to this Institution.

These observations are not designed to preclude, or lessen, the importance of the recommendation to the Local Legislature which I have solicited, and which His Lordship has so kindly consented to transmit ; but they are intended to show, in addition to such recommendation, the expediency and importance of His Majesty's Government affording such immediate aid to the Institution as will, at least, relieve the Trustees from existing embarrassments.

If you should be disposed to examine, you will find, by turning to the correspondence with the Colonial Office for July, 1833, that I addressed letters to Mr. [afterwards Lord] Stanley (one through Mr. Hay, then Under Secretary of State for the Colonies,) shewing the necessity and importance of a more liberal Executive and certain liberal measures in the administration of the government, in order to promote the best interests of the Province, and to maintain unimpaired, and in popular efficiency, the established Constitution of Upper Canada.

EGERTON RYERSON.

20 GUILFORD STREET,
22nd of March, 1836.

A reply to the letter was not sent to the Reverend Mr. Ryerson until one month after that letter was written. It contained the final refusal of Lord Glenelg to contribute anything either from Imperial, or Colonial, sources, towards the support of the Upper Canada Academy, and was as follows :

Lord Glenelg has had under his consideration your letter of the 22nd ultimo, on the subject of the application of the Wesleyan Methodist Conference for pecuniary assistance towards the Academy about to be opened at Cobourg in Upper Canada. His Lordship directs me to express his regret that he does not feel at liberty to depart from the decision on this subject which has been already conveyed to you in my letter of the 29th February last. (See page 251.)

DOWNING STREET,
22nd of April, 1836.

GEORGE GREY.

Lord Glenelg, having omitted to send to the Reverend Mr. Ryerson a "commendatory note," as promised at a late interview, a letter was written to him on the 29th of March, 1836, in which Lord Glenelg was reminded of his promise, and the writer added :

I deem it unadvisable to make any further applications to individuals, (for subscription to the Academy,) until I should be able to avail myself of the advantages of so important, and, I believe, in most cases, so essential a recommendation to the success of my applications. . . .

* These "instructions" are referred to on page 185 of this Volume.

Again, as the Trustees of the Institution . . . must, at the latest, make provision to meet the demands of the Banks against them . . . I was most anxious to obtain your Lordship's decision on the other parts of my application, in time to advise them . . . so that they may know precisely what to depend upon . . . *

20 GUILFORD STREET,
29th of March, 1836.

EGERTON RYERSON.

It was not until the 13th of April, 1836, that Sir James Stephen communicated to the Reverend Egerton Ryerson the opinion of the Law Officers of the Crown on the draft of the Charter for Upper Canada Academy, which he had submitted for approval on the 12th of February, 1836. (See page 247 of this Volume.) He said :

The Law Officers observe that, although they see no objection to the granting a Charter for incorporating an Academy in Upper Canada for the education of youth in Christian principles, they consider that there is considerable objection to granting such a Charter in the form suggested by you.

According to the draft which you have submitted, the Academy would be entirely under the control and management of the Wesleyan Conference, a body which is not recognized as having any separate existence, and which may possibly cease to exist. The proposed Charter does not name the persons who are to be incorporated, but leaves to the Wesleyan Conference the power of naming, from time to time, the individuals of whom the Corporate Body is to consist. It is observed that this might tend to much inconvenience, both from the difficulty of knowing with certainty who are the persons, from time to time, constituting the Wesleyan Conference, and from the possibility that that Body might omit to make the appointments necessary for keeping up the corporation. The Law Officers, therefore, are of opinion that, if His Majesty should be pleased to grant a Charter of Incorporation to the proposed Academy, it must be done by incorporating certain individuals to be named in the Charter, and by providing for the keeping up of the Institution by means of some known and recognized body, or functionary, to whom the power may be given of supplying vacancies, as may be thought fit.

DOWNING STREET,
13th of April, 1836.

JAMES STEPHEN.

On the 16th of April, the Reverend Egerton Ryerson, in a letter to Sir James Stephen, thus dealt with the objections of the Law Officers of the Crown, —Sir John Campbell and Sir R. M. Rolfe,†—to certain portions of the draft Charter of the Upper Canada Academy, which had been submitted to them. He said :

The principal objections of the Crown Officers appear to me to be two :

1. That the Trustees proposed to be incorporated are not named.
2. That the Institution will be placed under the control of an unknown body in Canada.

*In this letter, the Writer again called Lord Glenelg's attention to a favourable Editorial in the *Christian Guardian* of the 10th of February, 1836, on his Lordship's instructions to Sir Francis B. Head, the new Lieutenant-Governor of Upper Canada, and also to an Editorial in that paper, of the 24th of the same month, on the elevation of Messieurs John Henry Dunn, Robert Baldwin and John Rolph to the Executive Council of the Province, "the latter of whom," he said, "you will recollect I earnestly recommended to that office in the first interview (on the 26th of January, 1836,) with which I was honoured by your Lordship after my arrival in this country."

†Speaking of Sir John Campbell's career, the "Country Parson," (the Reverend Doctor A. K. H. Boyd,) in his quaint and striking way "of putting things," says : "When Mr. John Campbell, Student of Theology in St. Mary's College, St. Andrew's, N.B., was working away at his Hebrew, or drilling the lads, to whom he acted as tutor, and living sparingly on a few pounds a year, he would, no doubt have thought it a tremendous thing if he had been told that he would yet be a peer—that he would be 1st Lord Chief Justice, and then Lord High Chancellor of England—and that he would, upon more than one great occasion, preside over the assembled aristocracy of Britain. But, as he got on, step by step, the gradation took off the force of contrast ; each successive step appeared natural enough, no doubt ; and now, when he is fairly at the top of the tree, if that most amiable and able Judge should ever wish to realize his elevation, I suppose he can do so only by recurring in thought to the links of St. Andrew's, and to the days when he drilled his pupils in Latin and Greek. Student of divinity ; Newspaper Reporter ; utter Barrister ; King's Counsel ; Solicitor-General ; Member for Edinburgh ; Attorney-General ; Baron Campbell of St. Andrew's ; Chief Justice of England ; Lord High Chancellor of Great Britain,—each successive point was natural enough, when won, though the end made a great change from the Manse of Cupar.—"Moral Influence of the Dwelling," in the *Recreations of a County Parson*, 1866, page 325, 326.

Sir R. M. Rolfe afterwards became a Baron of the Exchequer.

In the first draft of the Charter a blank was left for the names of the persons who had been chosen [as Trustees] by the Conference ; but, on examining the Royal Charter for the Incorporation of King's College, Toronto, Upper Canada, in 1827, I perceived that the names of the first College Council were not inserted, only provision being made for appointing them of a certain description of persons therein named. I, therefore, thought that the insertion of the names of the primary Trustees was unnecessary. But I will furnish their names for insertion in the Charter asked for, should the other and chief objection be removed.

In respect to the objection of the Crown Officers, relative to the control of the Institution by the Wesleyan Conference, I must say that, whatever modification may be introduced into the phraseology of the proposed Charter, it is not in my power, nor in that of the Wesleyan Conference itself, now, to place the Institution under any other control. All the donations and subscriptions in Canada for the establishment of the Institution were given and promised upon the conditions stated in each Subscription Book ; one of which conditions is, that the Institution shall be under the control of Trustees appointed from time to time by the Conference. . .

I am likewise quite sure that His Lordship will concur in the opinion that there would be no sufficient guarantee for the Christian character of the Institution were it placed under the absolute control of private individuals, irrespective of other considerations or safeguards, than the the general provisions of the proposed Charter. I, therefore, humbly submit, that I know not why it should be considered an insuperable or serious objection to the Charter, religiously situated as Upper Canada is, and when the Conference of the Methodist Church in Upper Canada, as a Body, is better known, if possible, than any functionary or other body in that Province, and I think worthy of as much respect and confidence. It will, I am satisfied, appear obvious to His Lordship, that an Institution, the primary object of which, as clearly expressed, is the education of youth, of poor young men of religious character and promising talents, and of native Indian youths connected with the Methodist congregations, ought to be placed substantially under the superintendence of the pastoral head of the Church, on whose exertions it is dependent for its existence and operations. Even in the case of the Toronto "King's College" of Upper Canada, designed for a Provincial Institution, the Charter requires that the Lord Bishop of Quebec shall be Visitor, and the Archdeacon of York *ex-officio* President, and that certain religious qualifications shall be required of all persons who may hold any office in the establishment. But, in the Institution, on behalf of which application is now made for a Charter, no sectarian restriction is imposed in the selection of Teachers, or in the attendance of Students. I beg also that it may be borne in mind that the Institution is not for the education of young men for the Methodist Ministry, but is purely literary in its character and objects ; nor are the sons of Methodist Ministers to enjoy the slightest advantage in the Institution over any other youths of the Province.

I now address myself to the different points of the leading objections of the Crown Officers. The first is, that the Wesleyan Conference in Canada, as a Body, is not recognized as having any separate existence. I readily admit that the term "Conference" does not occur in any British or Provincial Statute ; nor am I aware that the term occurs in any Statute in reference to the Clergy of the Church of England in Canada ; yet they and their Convocation Acts are known and recognized. The same is true in respect to the Ministers of the Wesleyan Methodist Church. By a Statute of the Province of Upper Canada, passed in the ninth year of George IV., Chapter I., entitled : "An Act for the Relief of the Religious Societies therein named," provision is made for the holding of Church and Parsonage property by Trustees of the "Methodist Church and their successors, appointed in such manner as may be specified in the Deed," which Deed, in every case, confers a trust of Churches, or Chapels, "according to the Rules and Discipline, which now are, or hereafter, may be adopted by the Conference of said Church," for the occupation of "any Wesleyan Methodist Minister, or Preacher, or Ministers or Preachers, he, or they, being a Member, or Members, of the said W : M : Church, and duly authorized as such by the said Conference," etc. In all cases, in the appointment of Trustees, and the filling up of vacancies, the nomination is with the Minister appointed by the Conference ; and the legal proof of such appointment of Trustees is an entry of the names of those so appointed, in a Book of Records kept for that purpose, and subscribed by the Ministers and others present at the time of such appointment.

Another, as it appears to me, more direct and ample proof of this point, is furnished by the Statute of Upper Canada, passed in the second year of William IV., Chapter I, commonly called the "Marriage Act," by the provisions of which "any Clergyman or Minister, professing to be Members of the Church of Scotland, Methodists, etc.," who "shall have been regularly ordained, according to the rites and forms of the Church, of which he professes to be a Clergyman, or Minister," is authorized to solemnize the ceremony of marriage, after having produced proof to the Quarter Sessions of the District in which he resides, of his ordination, according to such rites and forms. Here, as it appears to me, is a recognition, not merely of the Ritual of the Church of Scotland, but equally so of the Methodist Church in Canada ; for the rites of the

Church cannot be judged of except by reference to its Ritual, and the Ritual of the Methodist Church in Canada not only prescribes a form for the ordination of Ministers, but also how they shall be elected to ordination by the Conference ; it defines who shall compose the Conference ; what are its powers, and what is the official record and due proof of its acts. Now, as in the Statute 31st George III., Chapter 31, (the Constitutional Act,) where reference is made to Clergymen of the Church of England, who shall have been duly ordained according to the Rites and Ceremonies of said Church, there is a recognition, not only of the Clergy of the Church of England in Canada, but also of the Ritual, or Prayer Book, of that Church ; so I conceive, in the "Marriage Act" referred to, there is a similar recognition of both the Ministers and the Ritual, or Discipline, of the Methodist Church in Canada.

I beg also to refer to an important circumstance connected with that "Marriage Act," which, I think, will free it from any objection which may be thought to exist against it, on this point, as a mere Act of the Local Legislature. That Act, after it had passed the two branches of the Provincial Legislature, was considered to be one of those Acts which were required by the Constitutional Act, 31st George III., Chapter 31, to be reserved for the consideration of His Majesty, and to be laid on the Tables of the two Houses of the Imperial Parliament. When it was laid on the Table of the House of Commons in 1829, Sir George Murray, who was then Colonial Secretary, said that there were certain objections to it, but, after the lapse of nearly two years, when the Earl Grey Ministry came into power, the Royal Sanction to that Act was communicated to the Lieutenant-Governor of Upper Canada by the Earl of Ripon (Lord Goderich). It is, therefore, the Act of His Majesty, (specially approved by him,) and tacitly of the Imperial Parliament, as well as of the Provincial Legislature. To this may be added the fact that in the Statute 31st George III., Chapter 31, commonly called the "Constitutional Act" of Upper Canada, Ministers of other "forms of religious faith and worship" are recognized, and, as such, are excluded from seats in the House of Assembly, as well as Clergymen ordained according to the Rites of the Church of England, and of the Church of Rome.

I hope the foregoing observations may obviate in His Lordship's mind the objection against a Charter for an Institution under the control of the Methodist Conference in Canada, on account of their being an unknown and unrecognized Body. I must, at the same time, crave, on this point, His Lordship's kindest consideration and indulgence, as it is a question of law, and, therefore, quite apart from my professional knowledge and pursuits, as I have access to no person versed in Anglo-Colonial law questions of this kind . . . I, therefore, hope and pray that a mere legal technicality of this kind may not be considered sufficient to defeat an object so important, and render worse than nugatory all the expense and efforts which have been employed to promote it ; for I can assure His Lordship that I should not have been sent, or appeared here, as an applicant on this subject had not Despatches from His Majesty's Ministers held out the strongest assurances of Royal encouragements to proved and acknowledged laudable efforts to promote Education in Upper Canada ; and had not this mode of application been suggested by a former noble Secretary of State for the Colonial Department ; and had it not been recommended in preference to any other mode of application by His Majesty's Representative, the Lieutenant-Governor of Upper Canada. And, however unofficial the remarks may be, I cannot refrain from observing that the anxiety and feelings of my mind cannot be easily described, or conceived, on account of the unanticipated but unavoidable delays which have attended the consideration of this whole affair, and the reflection that the accumulated pecuniary liabilities must come upon the noble-minded individuals, (who had generously assumed the responsibility of a large debt), before I can communicate to them either encouraging intelligence or relief.

In respect to the objection that the Wesleyan Conference in Canada may possibly cease to exist, I must candidly assure His Lordship I think there is a much stronger possibility of the parties ceasing to exist, to whom is consigned, by Royal Charter, the control and the filling up of vacancies in the Council of the contemplated "King's College" in Toronto, Upper Canada.

In order, however, to obviate every difficulty, as far as in my power, I beg to propose the following modifications in the Charter prayed for :

1. That the names of the persons to be incorporated shall be inserted in the Charter.
2. That the following words, (in the second paragraph of the proposed Charter), namely "the Conference, or Ecclesiastical Assembly, of the said W: M: Church, at its annual meeting" shall be amended and read thus : "the Ministers of the said W: M: Church, at their annual meetings, according to the rites and ceremonies of said Church." For, surely, there can be no more recognition in referring to annual meetings of Ministers according to the rites and ceremonies of said Church, than in referring to ordination of Ministers, according to the rites and ceremonies of said Church, which has already been done in a joint (Marriage) Act of the Imperial Parliament and of the Provincial Legislature.
3. That, wherever the term "Conference" occurs it shall be erased and, for it, shall be substituted the word "Ministers."

4. That, in the event that the Ministers of the W : M : Church should cease to meet annually, according to the rites and ceremonies of said Church, or fail to make the necessary appointments for keeping up the Corporation, according to the provisions of the Charter, or, should cease to exist—the Institution shall henceforth become the property of the Crown, or be placed at the disposal of the Provincial Legislature.

By these modifications, I think the objections of the Crown Officers will be substantially obviated ; there will be no further recognition of the W : M : Ministers, as a Body, than has been already made both by His Majesty and the Local Legislature ; and the objects of the desired Charter will be fully accomplished, which are not the conferring of literary degrees, but the obvious and necessary purposes of convenience and security in managing property in a corporate capacity, and in perpetual succession, according to the Prospectus, or Constitution, of the Institution, issued at the time, when the first subscriptions were solicited, or given, or promised.

20 GUILDFORD STREET,
16th April, 1836.

EGERTON RYERSON.

The reply to this letter was not sent from the Colonial Office, until the 30th of April, and was as follows :

Lord Glenelg has desired the Law Officers of the Crown to admit you to a personal conference on this subject, (of the proposed Charter for incorporating the Upper Canada Academy,) and to consider with you, whether, consistently with law, any means can be devised for accomplishing your object, without compromising any of the principles of the constitution of the Wesleyan Society.

It will afford His Lordship much satisfaction to find that you have succeeded in removing the difficulties which have hitherto prevented the success of your endeavours for giving a legal establishment to the Academy of Upper Canada.

DOWNING STREET,
30th of April, 1836.

GEORGE GREY.

On the 17th of May, Sir R. M. Rolfe, Solicitor-General, wrote to the Reverend Egerton Ryerson in regard to the draft of the Charter, and advised him to “consult some professional gentleman accustomed to frame instruments of the sort,” as he said :

It would be impossible for the Attorney-General (Sir John Campbell), or me, to report to Lord Glenelg, that His Majesty may be advised to grant you a Charter, unless we have distinctly before us the exact language in which is to pass the Great Seal.

LINCOLN'S INN,
17th of May, 1836.

R. M. ROLFE.

During an interview with Sir R. M. Rolfe, the Solicitor-General, a technical difficulty arose, as to the use of the English word “Connexion,” instead of the Canadian word “Church,” as applied to the Methodist Community. The Reverend Egerton Ryerson, after an interview with Sir R. M. Rolfe, on the 1st of June, 1836, wrote the following letter to him as Solicitor-General :

Apprehending that the substitution of the term “Connexion” for that of “Church,” in the Charter for the Upper Canada Academy, may be attended with inconvenience, I beg to submit the following remarks to your consideration.

Though the term “Connexion” be employed to designate the Wesleyan Community in England, yet this term has never been thus employed, in any public way, to designate the Canadian branch of that Community. You were, doubtless, not aware that the Society of Methodists in Upper Canada never had any connection with the body of Methodists in England until 1833 : that from the time of the formation of Methodist Societies in Upper Canada, as early as 1790, and by Missi maries from the United States, they have been known by the name of “the Methodist Church in America ;” that, at the time of the Methodist Body in Canada becoming connected with the British Connexion in England (in 1833), the term “Church” was still retained : but certain ecclesiastical regulations were entered into called : “Articles of Union,”

that in all deeds of Chapels, the Certificates of the Quarter Sessions to Wesleyan Ministers and in the Articles of Faith and Formularies, the title of "The Wesleyan Methodist Church in Canada," has been invariably employed, except that, in some instances, the words "British North America" have been used instead of "Canada." The Wesleyan Ministers, under whose control the Institution is placed by the provisions of the Charter, are registered by the Clerks of the Peace in the several Districts, not as Ministers of the W: M: Connexion," but as Ministers of the "W: M: Church."

I humbly submit, therefore, that the term "Church" may be retained in the Charter; or, if not, that a phrase explanatory of the use of the term "Connexion" may be added. May I, therefore, be permitted to submit that the term "Church" be allowed to remain in the Charter, or,

That the preamble of the Charter where the phrase "divers of our loving subjects of the W: M: Church" occurs, be amended thus: "divers of our loving subjects calling themselves the W: M: Church," and that the term "Church" be employed throughout the Charter; or,

That the same phrase be amended thus: "divers of our loving subjects of the W: M: Connexion, calling themselves, and commonly known as "The W: M: Church in Canada," etc., and the word: "Connexion" be afterwards employed throughout the Charter.

After taking the requisite advice, I have thought it necessary to submit this point to your further consideration.

20 GUILDFORD STREET,
1st of June, 1836.

EGERTON RYERSON.

To this note the Solicitor-General replied on the 3rd of June as follows:

I have mentioned to Sir George Grey your wish to retain the name of Wesleyan Methodist Church in Upper Canada, and I believe there will be no objection to what you ask; but the matter now rests with the Colonial Office.

LINCOLN'S INN,
3rd of June, 1836.

R. M. ROLFE.

A note was also sent to the Attorney-General, Sir John Campbell, on the same day, by Mr. Ryerson, as follows:

I would beg of you as a favour, that, when you shall have examined the draft of Charter for the Upper Canada Academy, you will have the kindness to transmit it to the Colonial Office, as I desire to make some observations on the subject, when the Charter is resubmitted to Lord Glenelg's consideration.

20 GUILDFORD SQUARE,
1st of June, 1836.

EGERTON RYERSON.

To this note the Attorney-General replied on the next day, as follows:

The Charter has been returned to Lord Glenelg, and I hope that you will find it quite satisfactory.

NEW STREET,
June 2nd, 1836.

JOHN CAMPBELL.

In regard to these two notes, received by the Reverend Egerton Ryerson from the Law Officers of the Crown, he addressed the following letter to Sir George Grey, Under Secretary of State for the Colonies, on the 4th of June, 1836. In it he said:

I received, yesterday, a kind note from the Attorney-General, (Sir John Campbell), informing me that the Charter for the Upper Canada Academy had been returned to Lord Glenelg, and he "hoped I would find it quite satisfactory." I likewise received another note from the Solicitor-General (Sir R. M. Rolfe) last evening, kindly stating that he had spoken to you on the use of the term "Church," instead of "Connexion," to which he acceded, for reasons that I had assigned, in a letter which I addressed to him three days since, (See page 260,) but added that the matter was now left with the Colonial Office. . . .

Taking it for granted that the Solicitor-General has stated to you my reasons for the necessity of retaining the term "Church," instead of the term "Connexion," which he had substituted, I suppose it will not be necessary for me to repeat them; or to add anything more than merely to request Lord Glenelg's attention to it.

As to the amount in annual value of property which the Trustees may be allowed to hold, the maximum was originally fixed at five thousand pounds, (£5,000,) the same as the Charter of King's College, Toronto, Upper Canada. The Institution, although we have preferred calling it an Academy, (a term which, in the American and Canadian use of it, is synonymous with Minor College,) accommodates within the Building, with lodging, as well as tuition, one hundred and seventy, (170,) students, as large, and, I rather think, a considerably larger number than can be boarded in the Hall of the Upper Canada College. There is no probability, however, that any legacies, or property, which may come into the hands of the Trustees will ever amount in annual value, to that sum. I therefore submit it His Lordship's judgment, as to whether four or five, (or three thousand pounds, (£3,000,)) shall be the maximum of annual property authorized to be held by the Trustees.

I beg once more to submit the case and claims of this Institution for pecuniary assistance to the kind and gracious consideration of His Lordship. I am emboldened to do so, not merely from a conviction that His Lordship is most anxious to encourage such an unprecedented and unequalled effort to promote Education in Upper Canada, but also from the removal of those objections which he formerly entertained to making a grant to this Institution, as the House of Assembly of Upper Canada has not acceded to, or even considered, the proposals of His Majesty's Government in respect to the Casual and Territorial Revenue; as that revenue is still at the disposal of the Crown, and a large amount of it is unappropriated; as there is no object more useful or popular, to which a portion of it could be applied than that which I have submitted; and, as there is now not the least probability that, in the present state of parties in Upper Canada, anything can be obtained from the Local Legislature for some time to come. Perhaps, it would not be good policy for us even to apply to the Local Legislature, until after the settlement of several constitutional and party questions. . . .

I pray that it may also be considered at the present time, that these ninety-five itinerant Wesleyan Ministers in Upper Canada, each of whom travels on an average from one hundred to two hundred and fifty miles, and preaches from twenty-five to thirty sermons per month, besides attending to other pastoral duties; that there are about one hundred and fifty local preachers, who generally preach on the Sabbath; and there are about, or upwards of, nine hundred Wesleyan Congregations in that Province; and that all the aid asked for is for the promotion of Education, upon principles properly British, as well as Christian, and for the expenditure of every farthing of which, a detailed account will be rendered to the Government.

I deem it necessary also to submit to His Lordship a brief statement of the state and prospects of the Institution at the present moment. I have heretofore stated the pecuniary embarrassment of the Trustees. In their extremity a gentleman, (who had not even subscribed to the Institution, nor had been connected with the Wesleyan Church in that Province, but had recently become impressed with the value of such an educational establishment,) generously authorized the Chairman of the Trustees to draw upon him for one thousand pounds, (£1,000,) until they could hear from the Agent of the Conference in England. For the payment of the other thousand pounds, and upwards, for which the Trustees were holden, they again discounted notes at the Provincial Banks, by which they obtained three months' further accommodation. I have obtained little more than two hundred pounds, (£200,) in this country, and such are the numerous and well-founded home claims upon Individual liberality, that I despair of succeeding to any great extent, under any circumstances in this most repulsive business of begging. I have despaired, indeed, of succeeding to any extent worth speaking of, without some recommendatory sanction from His Lordship, as the Guardian and Representative of Canadian interests in the country.

I learn from Canada that the Trustees, determined to risk all, before so noble an enterprise, which has cost so much anxiety, labour, and expenditure should be defeated, or delayed, had determined, according to previous announcement, to have the Institution opened on the 1st of June, (this month).

I have already been absent from Canada two months longer than I anticipated, when I left that Province. If I can only be enabled to relieve the Trustees from the existing demands against them, I will trust to appeals to Canadian liberality to foster the early operations of the establishment, until legislative aid can be obtained; and I am desirous to return thither without delay to resume my ecclesiastical duties; intending, as I do, on my arrival, to publish an Appeal to my fellow-Christians and fellow-Subjects in that Province, which I hope, will prove serviceable to the cause of religious Education, and the influence and constituted authority of the British Government.

EGERTON RYERSON.

20 GUILFORD STREET,
4th of June, 1836.

On the 3rd of June, Sir George Grey, Under Secretary of State for the Colonies, sent a copy of the Charter of the Upper Canada Academy, as prepared by the Law Officers of the Crown, to the Reverend Egerton Ryerson, with the following letter. He said :

I am directed by Lord Glenelg to transmit to you herewith, for your consideration, the draft of a Charter which has been prepared by the Law Officers of the Crown, for incorporating the Academy recently established by the Wesleyan Conference at Cobourg in Upper Canada. I am to request that you will acquaint me, for the information of Lord Glenelg, whether the parties, by whom you have been deputed to proceed to this country, would be willing and desirous to accept a Charter in this form.

GEORGE GREY.

DOWNING STREET,
3rd of June, 1836.

ORIGINAL DRAFT OF THE CHARTER OF THE UPPER CANADA ACADEMY, PREPARED
BY THE LAW OFFICERS OF THE CROWN IN ENGLAND, 1836.

The following is a copy of the original draft of the Charter of the Upper Canada Academy, as prepared and modified by Sir John Campbell, Attorney-General, and Sir R. M. Rolfe, Solicitor-General, the Law Officers of the Crown in England, and sent to the Reverend Egerton Ryerson by Sir George Grey, Under Secretary of State for the Colonies, on the 3rd of June, 1836.

The marginal notes, and the alteration in the original Charter, are in the handwriting of Sir R. M. Rolfe, the Solicitor-General, and are marked by a * in the margin, except those made, after consultation with Sir R. M. Rolfe, by the Reverend Egerton Ryerson, and marked thus † in the margin.

This original draft copy of the Charter is endorsed by the Reverend Egerton Ryerson as follows :

“Draft Charter of Upper Canada Academy, with Sir R. M. Rolfe’s marginal notes, 1836.”

WHEREAS the Ministers of the Wesleyan Methodist Church in Canada have, by the aid of private and voluntary contributions, erected the Buildings for an Academy of Learning, for the education of Youth on Christian principles, situate in the vicinity of the Town of Cobourg, in the Newcastle District, within our Province of Upper Canada, in North America ;

AND WHEREAS, the said Ministers of the Wesleyan Methodist Church have made humble application to us, that we would be pleased to grant our Royal Charter for the more perfect establishment of the said Academy for the purposes aforesaid :

AND WHEREAS, the object of * said application has been recommended by Our trusty and well beloved Sir John Colborne, Our Lieutenant-Governor of Our said Province, as greatly conducive to the welfare of Our said Province ;

NOW KNOW YE, That We, having taken the premises into Our Royal consideration, and duly weighing the great utility and importance of such an Institution, have, of Our special grace, certain knowledge and mere motion, ordained and granted, and do, by these presents, for Us, Our heirs and successors, ordain and grant, that there shall be established at, or near, Our Town of Cobourg, in the Newcastle District, and in Our said Province, from this time, an Academy, with the style and privileges hereinafter stated, for

Recites That Ministers, etc., have erected Buildings near Cobourg in the Newcastle District for an Academy of Learning.

Have made application for Royal Charter.

* Insert the word “the.”
The object recommended by Sir John Colborne, Lieutenant-Governor.

Op : Pt of Grant.

Style.

the instruction of Youth and Students in the various branches of Science and Literature, to continue forever to be called : "THE UPPER CANADA WESLEYAN ACADEMY."

Nine Trustees to be appointed, and by whom.

All in italics to be struck out.

Names of the first Corporation.

The Reverend William Case of Toronto, Home District in Upper Canada, etc., etc.

Words in italics to be struck out.

*Insert "to be appointed as hereinafter mentioned."

*Insert "Wesleyan."

Words in italics struck out.

Their corporate style, etc.

May hold property, etc.

*Strike out "five," and insert "two."

May sue and be sued.

*Insert, "And We do hereby further will and declare that the said Trustees"

Strike out the words in italics.

Visitors and By-laws.

*Insert, "In the manner hereinafter mentioned.†

And We do hereby declare and grant, that the Conference or Ecclesiastical Assembly of the said Wesleyan Methodist Church, at its annual meetings, shall appoint nine Trustees for the said Academy, three of the first three on the list, shall go out of office annually, and the vacancies shall be filled up by the said Conference. And we do hereby, for Us, Our Heirs and Successors, will, ordain and grant, that the said nine Trustees, appointed as aforesaid, and their successors forever, * shall be one distinct and separate body politic and corporate, in deed and in name, by the name and style of "The Trustees of Upper Canada * Academy, at Cobourg, and that by the same name they shall have perpetual succession and a common seal; and that they and their successors shall, from time to time, have full power to alter, renew, or change, such common seal at their will and pleasure; and as shall be found convenient; and that, by the same name, they, the said Trustees, and their successors, from time to time, and at all times hereafter, shall be able and capable to have, take, receive, purchase, acquire, hold, possess, enjoy and maintain, to and for the use of the said Academy, any messuages, lands, tenements, and hereditaments of what kind, nature, or quality, soever, situate and being within Our said Province of Upper Canada, or of Lower Canada, so as the same do not exceed in yearly value the sum of five thousand pounds, (£5,000,) above all charges; and, moreover, to take, purchase, acquire, have, hold, enjoy, receive, possess and retain, all, or any goods, chattels, charitable, or other contributions, gifts, or benefactions, whatsoever.

And We do hereby declare and grant, that the said Trustees and their successors, by the same name, shall and may be able and capable in law, to sue and be sued, implead and be impleaded, answer and be answered, in all, or any, Court, or Courts of Record, within Our United Kingdom of Great Britain and Ireland, and Our said Province of Upper Canada, and other Our Dominions, in all and singular actions, causes, pleas, suits, matters and demands, of what nature, or kind, soever, in as large, ample and beneficial a manner and form, as any other body politic, or corporate, or any other our legal subjects, being persons able and capable in law, may, or can, sue, implead, or answer, or be sued, impleaded, or answered, in any manner whatsoever. * And whereas it is necessary to make provision for the government and management of the affairs of the said Academy, We do hereby declare, ordain, and grant, that the said Conference of the said Wesleyan Methodist Church, at each of its annual meetings, shall have authority to appoint five visitors, (whose term of office shall cease at the annual meeting of the said Conference next ensuing to that at which they were appointed,) who, together with the President of the said Conference, (who shall be, ex-officio, Visitor,) shall be associated with the said Trustees, as a joint Board of Management; which joint Board of said Trustees and Visitors shall have power and authority to frame and make, * statutes, rules and ordinances, touching and concerning the good government of the said Academy, the performance of Divine Service therein, the studies, lectures and exercises, and all matters regarding the same; the appointment and removal, residence and duties of the Principal of the said Academy, the number, residence and duties of Teachers thereof, the management of the revenues and property of said Academy, the salaries, stipends, provision and emoluments of, and for, the Principal, Teachers, Officers and Servants thereof; the number and duties of such officers and servants, and also touching and concerning any other matter, or thing, which, to them may seem good and useful, for the well being and advancement of said Academy, and agreeable to this our Charter, and, also, from time to time, by any new statutes, rules and ordinances, as to them shall seem meet and expedient.

† Change made in the Reverend Egerton Ryerson's handwriting.

PROVIDED ALWAYS, that the said statutes, rules and ordinances, or any of them, shall not be repugnant to the Laws and Statutes of Great Britain and Ireland, or of Our said Province of Upper Canada, or to this our Charter.

PROVIDED ALSO, that no *Principal of said Academy shall be appointed to or finally removed from office, without the approbation of the majority of the votes of the said Conference of the Wesleyan Methodist Church, at the annual meeting.* Appointment and removal of Principal. *Strike out all words in italics.

PROVIDED ALSO, that no religious test, or qualification, shall be required of, or appointed for, any persons on their admission as Students, or Scholars, within the said Academy. No Religious Test to be required.

And We do further ordain and grant, that a meeting of the said Trustees and Visitors shall be held in each and every year, within one calendar month after the annual meeting of the said Conference of the* said Wesleyan Methodist Church, at which meeting, a Secretary and Treasurer of the said Board shall be appointed by the votes of the majority of the members present, such Treasurer or Secretary being Trustees, or Visitors, of said Academy. Yearly meeting to be held, when and where. Words in italic to be struck out. Strike out "annual," and insert "said."†

And We do further ordain and declare That no meeting of said Board shall be, or be liable to be a lawful meeting thereof, unless five members, at least, be present during the whole of every such meeting, and that all questions and resolutions proposed for the decision of the said Members of the Board shall be determined by the majority of the votes of the Trustees present, including the vote of the presiding Member, and, that, in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional, or casting, vote. Strike out "of the said Conference" and insert "or Conference."† *Insert: "said Ministers of the."† Strike out "Board" and insert "Trustees."†

And We do further declare that if any member, or members, of said Board* shall die, or resign his or their seat in said Board, then, and in every such case, a fit and proper person, or persons, shall be appointed by the remaining Members of the Board at their next meeting. if they shall judge it expedient; and such new member, or members, so appointed in the place or stead of the member or members so dying, or resigning, shall continue in office until the annual meeting of the said Conference of the Wesleyan Methodist Church. Strike out "Members of the Board," and insert "Trustees."†

And We do hereby declare and ordain, That the said Board shall, from time to time, and at all times, appoint the time and place of its own meeting; but that an extra meeting of the said Board may be called at any time, whenever three, or more, members of the said Board shall judge it expedient, by giving due and sufficient notice thereof. A true and faithful record of the proceedings of each and every meeting of the said Board shall be entered by the Secretary of the Board in a book kept for that purpose, and signed by the presiding Member and Secretary. Casting vote. Vacancies by death or resignation, how filled up. Strike out "said," and insert "the."† *Insert "of Trustees."†

And whereas, it is necessary to make provision for the due proof of the appointment of persons as Trustees and Visitors of said Academy: Now We do further ordain and declare, that the Secretary of the said Conference of the Wesleyan Methodist Church, at, or immediately after, each annual meeting of such Conference, shall certify the same under his own hand to the Secretary of the said Board; which certificate shall be copied into the book kept by the said and shall be, and be held, to be sufficient proof of the appointment of any person, or persons, as Trustees, or Visitors, of said Academy. Strike out "Members of the Board," and insert "Trustees."† Strike out words in italics. Record to be kept. Strike out "Board," and insert "Trustees."†

And WE do hereby, for Us, Our Heirs and Successors, charge and command that the statutes and ordinances aforesaid, subject to the same provisions, shall be strictly and inviolably observed, kept and performed, from time to time, in full vigour and effect, under the penalties to be thereby, or therein, imposed, or contained.

And WE do will and, by these presents, for Us, Our Heirs and Successors, do grant and declare, that these Our Letters Patent, or the enrolment, or exemption thereof, shall and may be good, firm, valid, sufficient and effectual, in the law, according to the true

† Changes made in the handwriting of the Reverend Egerton Ryerson.

intent and meaning of the same; and shall be taken and construed and adjudged in the most favourable and beneficial sense, for the best advantage of the said Trustees of the said Academy, as well as in Courts of Record, as elsewhere, and by all and singular Judges, Justices, Officers, Ministers and other subjects whatsoever, of Us, Our Heirs and Successors, any mis-recital, non-recital, omission, imperfection, defect, matter, cause, or thing, whatsoever, to the contrary thereof, in anywise notwithstanding.

In testimony whereof, We have caused these Our Letters to be made Patent.

NOTE ON THE CHARTER BY SIR R. M. ROLFE, SOLICITOR-GENERAL.

This Charter will require considerable amendment. The individuals proposed to be the first nine members must be incorporated by name. Provision must be made for the periodical going out of office of three in every year; their places to be supplied by three others, to be chosen by the Wesleyan Methodist Ministers of Upper Canada. The time and place of such election should be fixed, and it might be declared that, for the purpose of the Charter, those persons and those only who have obtained Certificates under the local "Marriage Act" are to be deemed electors.

Provision should be also made, authorizing the re-election of Trustees going out of office. Everything giving power to the Wesleyan Conference, referring to it, must be struck out.

LINCOLN'S INN, June, 1886.

R. M. ROLFE.

The receipt of this draft Charter of the Upper Canada Academy was acknowledged by the Reverend Egerton Ryerson, on the 8th of June, 1836, and its terms were accepted by him in the following letter to Lord Glenelg:

I have great pleasure in saying that a Charter in this form will be perfectly acceptable, and is earnestly desired by the parties for whom I have the honour to act, with the exception of *one* word. I beg that the word "Church" may be inserted instead of the word "Connexion."

I believe that Crown officers have no objection to this alteration. My reason for it is, that the Wesleyan Ministers, under whose superintendence the Academy is placed, have been licensed under the Provincial Statute ("Marriage Act") referred to in the Charter, not as Ministers of the "W: M: Connexion," but as Ministers of the "W: M: Church."

20 GUILDFORD SQUARE,
8th of June, 1836.

EGERTON RYERSON.

On the 16th of June, 1836, Sir George Grey, Under Secretary of State for the Colonies, replied to this letter, and, on behalf of Lord Glenelg, assented to the request made in it, as follows:

Lord Glenelg has no hesitation in complying with your desire to substitute the term "W: M: Church" for that of "W: M: Connexion," as the appropriate designation of the Body under whose control the Academy is to be placed.

In regard to the amount of property which the Trustees should be empowered to hold, His Lordship considers that its annual value should be limited to two thousand pounds (£2,000). If you are authorized to concur in this limitation, His Lordship will be prepared to recommend to His Majesty to grant to the Trustees of the Upper Canada Academy a Charter of Incorporation in the form provided by the Law Officers, with the modifications now suggested.

Lord Glenelg has not failed to devote his attentive consideration to the arguments adduced by you in support of this establishment to pecuniary aid from the Revenue of the Province at the disposal of the Crown. His Lordship is confident that you will not attribute to him an indifference to the interests of Religion, or suppose him to be unmindful of the meritorious exertions, in this behalf, of the Wesleyan Body, when he states that it is not in his power, at the present moment, to depart from the decision which he has lately communicated to you on this matter. Although the present Session of the Upper Canada Legislature has closed, without any arrangement in regard to the Casual and Territorial Revenue, His Lordship does not consider that the question is thus finally settled.

Until the House of Assembly shall have had an opportunity of deliberately considering the proposals, on this subject, of His Majesty's Government, Lord Glenelg would not feel justified in applying any portion of the Casual and Territorial Revenue of the Province towards an object which, however important and commendable, that Revenue has not hitherto been pledged to assist.

His Lordship desires me to express the regret with which he has felt himself compelled to refuse assistance towards an Establishment in whose success he cannot but feel a lively interest. He trusts that the application for assistance, which you are authorized to make to charitable bodies, and to individuals in this country, will not be without effect; and he feels assured that, when the public mind in Upper Canada shall have recovered from that agitation which now unhappily disturbs it, the exertions of the Wesleyan Body, and the claims of the Upper Canada Academy, will be cheerfully acknowledged by the House of Assembly, to whose favorable notice he will direct the Lieutenant-Governor to recommend them.

DOWNING STREET, 16th of June, 1836.

GEORGE GREY.

It will be seen, by reference to page 240 of this Volume, that the promise made in the foregoing letter was kept by the Colonial Minister. On the 26th of the following month of July, Lord Glenelg, in his Despatch, desired the Lieutenant-Governor, Sir Francis Bond Head, to bring the matter under the favourable notice of the House of Assembly.

On the following day, after the date of Sir George Grey's letter, the Reverend Egerton Ryerson replied to it as follows:

. . . In respect to the limitation of annual property to be held by the Trustees, I beg leave to say that I am authorized to concur in any limitation which does not infringe upon the original Constitution of the Academy, and which will not, in my judgment, be detrimental to its interests; and, therefore, I am prepared to concur in the limitation proposed; and I will be most grateful to His Lordship to recommend His Majesty to grant to the Trustees of the Upper Canada Academy, a Charter of Incorporation in the form prepared by the Law Officers of the Crown, with the modifications mentioned by His Lordship.

I lament that His Lordship is unable to afford any present pecuniary assistance to the Trustees of the Upper Canada Academy, out of the Casual and Territorial Revenue of Upper Canada. I feel quite satisfied that His Lordship would have done so, had it been in his power.

If I can possibly, by application, obtain from individuals what will serve to relieve the Trustees from their present painful embarrassment, I have no doubt but a future House of Assembly of Upper Canada will be disposed to aid in promoting the operations of the Academy, especially when recommended to its favorable consideration by His Majesty's Government. . .

20 GUILFORD STREET, 17th of June, 1836.

EGERTON RYERSON.

In addition to Sir George Grey's letter of the 16th June, to which the foregoing letter is a reply, Sir James Stephen wrote as follows on the 12th July, 1836:

With reference to Sir George Grey's letter of the 16th ultimo, I am directed by Lord Glenelg to inform you that the draft of an additional Instruction to the Governor of Canada, directing him to pass under the Public Seal of the Province of Upper Canada, a Charter for the incorporation of the Upper Canada Academy, having on the 6th instant been submitted to His Majesty in Council, His Majesty was graciously pleased to approve of that draft, and to command that the necessary instrument for giving effect to it should be forthwith prepared and submitted for His signature.

In communicating to you this intelligence, Lord Glenelg desires me to express the gratification which he felt in bringing under His Majesty's notice the claims of an Institution so commendable as the Upper Canada Academy. He would, indeed, have desired to afford to it some pecuniary assistance from the Crown Revenues of the Province, but circumstances connected with the present political aspect of the Canadas have rendered such a measure impossible. His Lordship trusts, however, that your applications, to charitable societies, and to individuals in this Country, may not be without success; and he will have much pleasure in directing the Lieutenant-Governor of Upper Canada hereafter to bring the claims of the Upper Canada Academy under the notice of the Provincial Legislature. (See page 240 of this Volume.)

DOWNING STREET, 12th of July, 1836.

JAMES STEPHEN.

On the following day this letter was acknowledged in the following terms:

. . . I am quite unable to express the obligations I am under to His Lordship, and the gratitude I feel for the anxious and favourable consideration which he has bestowed upon this subject, and the attention and kindness which I have received throughout a protracted correspondence. . .

The Ministers of the W. M. Church in Canada, who, not soliciting any individual emoluments for themselves, have prayed for the countenance and aid of His Majesty's Government, to enable them to promote the best educational and moral interests of Upper Canada, will, I am sure, as well as their congregations, and the Canadian public, duly appreciate the liberal and parental feeling with which their application for a Charter has been entertained. . . .

EGERTON RYERSON.

20 GUILFORD STREET.
13th of July, 1836.

It is not to be supposed that the tedium of waiting for replies to letters addressed by the Reverend Egerton Ryerson to the Colonial Office prevented him from engaging in other matters. Apart from the duty of collecting funds for the Academy at Cobourg, the events transpiring in Upper Canada engaged his earnest attention. In his letters to Canada at the time, he mentioned the efforts which he made to counteract the impression made in England that Canada was not truly British in heart and feeling,—notwithstanding efforts made to promote a contrary opinion. He gave an amusing account of his having inspired Lord Sandon, and through him, Mr. Gladstone, with what enabled the latter to reply effectively to Mr. Joseph Hume, in the House of Commons, in regard to Canadian affairs. He also wrote a series of letters on the same subject in the *London Times*, signed "A Canadian," which created great interest in Canada, and which were reprinted in England and widely circulated among politicians there.

Nor was he silent in regard to current events in Canada, in his intercourse with the higher Government officials, with whom he had to deal in the matter of the Charter for the Upper Canada Academy. In a letter to Canada, dated the 21st of July, 1836, he said :

I was applied to, and did, in my individual capacity, communicate to the Colonial Secretary frequently, and, in one or two instances, at great length, on the posture of Canadian affairs ; and the parties and principal questions which have divided and agitated the Canadian public. I repeatedly received the thanks of the Secretary of State for the Colonies, for the pains which I had taken in these matters ; but what influence my communications may have had, or may have, on the policy of His Majesty's Government towards the Canadas is not for me to say, as I desired Lord Glenelg not to assume, *prima facie*, as correct, any of my representations, but to examine my authorities—to weigh my arguments—to hear what could be said by others—as I had no friends to recommend to office, and no personal interests to promote, only the religious and general peace and prosperity of the Canadas, and the maintenance of a firm and mutually beneficial connection between these Colonies and the parent State.

I think I have good reason to believe that much more correct and decided views are entertained by His Majesty's Ministers, and by many public men in England, in respect to the interests and Government of the Canadas, than were possessed by them six months ago ; and that all of those inhabitants of the Colonies, who patriotically maintain their Christian and constitutional allegiance, will ensure the respect, equal and firm protection, and parental regard of their Sovereign and His Government, by whatever party it may be administered. (*Story of My Life*, page 169.)

THE CHARTER OF THE UPPER CANADA ACADEMY, AS REVISED AND GRANTED.

William the Fourth. by the Grace of God, of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith—To all to whom these presents shall come, Greeting :

WHEREAS, divers of Our loving subjects of the Wesleyan Methodist Church in Our Province of Upper Canada have represented to Us, that, with the aid of private and voluntary contributions, they have erected certain buildings, in the vicinity of the Town of Cobourg, in the Newcastle district of Our said Province of Upper Canada, adapted for the purpose of an Academy of Learning, with the intention of founding there an Academy for the General Education of Youth

in the various branches of Literature and Science, on Christian principles, and that they have been advised that the said undertaking would be more successfully and effectually prosecuted, if it were protected by Our Royal sanction by means of a Royal Charter of Incorporation ;

They have most humbly supplicated us to grant Our Royal Charter of Incorporation, for the purposes aforesaid, under such regulations and restrictions as to us might seem right and expedient ;

Now KNOW YE, that We, being desirous to maintain sound and useful learning, in connection with Christian principles, and highly approving of the design of promoting the same in Our said Province of Upper Canada, by means of the founding an Academy of Learning in Our said Province—have, by virtue of Royal prerogative, and Our own especial grace, certain knowledge, and mere motion, granted, constituted, and declared, and, by these Presents, for Us, Our Heirs, and Successors, do grant, constitute and declare, that the Academy intended to be founded shall be called “THE UPPER CANADA ACADEMY.”

And that for the purpose of establishing and maintaining the same, there shall be nine Trustees, three of whom shall go out of office annually in rotation, and whose places shall be supplied in the manner hereinafter mentioned ; and that Our Trusty and Well-beloved Subjects, the Reverend William Case, the Reverend John Beatty, Wesleyan Ministers of Toronto, Home District of Our said Province ; Ebenezer Perry, Merchant ; George Benjamin Spencer, Gentleman ; John McCarty, Merchant of Cobourg aforesaid ; James Roger Armstrong of the City of Toronto, Home District, Merchant ; John Counter of Kingston, Midland District, in Our said Province, Baker ; Billa Flint, junior, of Belleville, in the Midland District of Our said Province, Merchant ; and the Reverend William Ryerson, of Hamilton, in the Gore District of Our said Province,—shall be, and are hereby appointed and declared to be, the first nine Trustees of the said Academy, and shall be, and are hereby, constituted one body politic and corporate by the name of “THE TRUSTEES OF THE UPPER CANADA ACADEMY,” and shall, by the said name, and for the purposes aforesaid, have perpetual succession, to be kept up in manner hereafter directed, and shall have a common seal, with power to break, alter and renew the same at their discretion, and shall, by the same name, sue and be sued, implead and be impleaded, answer and be answered unto, in any and every Court of Us, Our Heirs, and Successors in any and every part of Our Dominion.

And We do hereby will and ordain, that, by the same name, they, and their successors, shall be able and capable in law, to take, purchase, and hold, to them and their successors, any goods, chattels, and personal property whatsoever, and shall also be able and capable, in law, to take, purchase, and hold to them, and their successors, not only all such lands, buildings, hereditaments, and possessions, as may be, from time to time, exclusively used and occupied for the immediate purposes of the said Academy, but also any other lands, buildings, hereditaments and possessions whatsoever, situated within Our Dominions of North America, not exceeding the annual value of two thousand pounds, (£2,000,) sterling money,—such annual value to be calculated and ascertained at the time of taking, purchasing and acquiring the same ; and that they and their successors shall be able and capable in law to grant, demise, alien, or otherwise dispose of, all, or any of the property, real or personal, belonging to the said Academy ; also, to do all other matters and things incidental or appertaining to a body corporate ; and they and their successors shall have the custody of the common seal of the said Academy, with power to use the same for the affairs and concerns thereof.

And the said Trustees shall have power to accept, on behalf of the said Academy, gifts and endowments for promoting particular objects for Education, Science and Literature, or otherwise, in aid of the general purposes of the said Academy, on such terms and conditions as may be agreed on, for the purpose, between the Trustees and the persons bestowing any such gift, or endowment.

And We do hereby will and ordain, that the various branches of Literature and Science shall be taught on Christian principles in the said Academy, under the superintendence of a “Principal,” or other Head, Professors and Tutors, or such other Masters or Instructors, as shall, from time to time, be appointed in manner hereinafter mentioned.

And We do hereby will and ordain, that there shall be five Visitors of the said Academy, with authority to do all those things which pertain to Visitors, as often as to them shall seem meet, and who shall go out of office annually. And We will and ordain that Our Trusty and Well Beloved Subjects, Charles Biggar, Esquire, Justice of the Peace, Murray, Newcastle District ; Joseph A. Keeler, Esquire, Justice of the Peace, Colborne, Newcastle District ; the Reverend John Ryerson, Wesleyan Minister, Hallowell, District of Prince Edward ; the Reverend Joseph Stinson, Wesleyan Minister, Kingston, Midland District ; Alexander Davidson, Esquire, Port Hope, Newcastle District,—shall be the first Visitors of the said Academy, and their successors shall be elected as hereinafter mentioned.

We further will and ordain that there shall be a Treasurer and a Secretary of the said Academy, who shall and may be chosen and displaced by the Trustees, as they shall think fit, at a meeting of the Trustees, at which not less than five Trustees shall be present.

That a meeting of the Trustees only shall be called a "Trustee Meeting," of which five shall be a quorum; and a meeting of the Visitors alone shall be called a "Visitor's Meeting," of which three shall be a quorum.

That the Trustees and Visitors together, shall be called the "Board" of the said Academy; and a meeting of the Trustees and Visitors shall be called a "Board Meeting," of which eight shall be a quorum; and in all such meetings a Chairman shall be appointed by the members then present from amongst themselves, and all questions, which it shall be competent for any such meeting to decide, shall be decided by the majority of the members, being a quorum of such meeting then present; and the Chairman of every such meeting shall have a vote, and, in case of an equality of votes, shall have a second, or casting vote.

That the Board for the time being shall have full power, from time to time, to appoint, and, as they shall see occasion, to remove, the "Principal" or other "Head," (of the Academy) the Professors, Tutors, and Masters, and all Officers, Agents, and Servants of the said Academy. And the said Board shall have full power, from time to time, to make, or to alter, or vary, any by-laws and regulations, touching and concerning the time and place of holding ordinary Trustee Meetings, Visitor's Meetings, and Board Meetings, and for the good ordering and government of the said Academy, the performance of Divine Service therein; the studies, lectures, and exercises of the Students, and all matters respecting the same; the residence, duties, salary, provision, and emoluments of the Principal, or other Head, of the said Academy; the number, residence, duties, salaries, provision, and emoluments of the Professors, Tutors, Masters, Officers, Agents, and Servants of the said Academy, respectively, and all other matters and things which, to them may seem good, fit, and useful, for the well-ordering, governing, and advancement of the said Academy.

And all such by-laws, when reduced into writing, and after the Common Seal of the Academy hath been affixed thereto, shall be binding upon all persons and members thereof,—*Provided*, That no such by-law shall be repugnant to the Laws and Statutes of Great Britain and Ireland, or of Our said Province of Upper Canada, or this Our Charter. *Provided* also, That no religious test or qualification shall be required of, or appointed for, any person on his admission as a Student, or Scholar, into the said Academy.

That any three Trustees shall, by notice in writing to the other Trustees, be competent to call an extraordinary Trustee Meeting,—and any two of the Visitors shall be competent, in like manner, to call an extraordinary Visitor's Meeting. And any five members of the Board shall be competent, in like manner, to call an extraordinary Board Meeting, at any time and place they may see fit, on any occasion, which, in their judgment, may render it expedient for them to do so.

That the Trustees, Visitors, and Board shall respectively cause Records and Minutes of all the proceedings, Acts and Resolutions of all and every of their meetings, ordinary and extraordinary, to be entered and kept in Books provided for that purpose, and which Records and Minutes shall, before the breaking up, or adjournment, of any such meeting, be read aloud by the Chairman, in the presence of such meeting, and shall be signed by him, and, being so signed, shall, until the contrary be shown, be deemed and taken to be the Records and Minutes of such meeting, and that the said meeting was duly convened and held. And the said Trustees shall keep a Book, or Books, of Accounts of the financial affairs of the said Academy. All of which Books of Record, Minutes and Accounts shall be produced to, and audited yearly at the Annual Meeting, as hereafter mentioned.

That, for making provision for filling up vacancies in the places of Trustees dying, resigning, or going out of office, in the manner hereinafter mentioned, and for appointing Visitors to the said Academy, there shall be holden in each year an Annual Meeting of the Ministers of the said Wesleyan Methodist Church in Upper Canada. And the first Annual Meeting of the said Ministers shall be holden at the City of Toronto, or the Town of Cobourg, in Our said Province, on the second Wednesday in the month of June, 1837; and every subsequent Annual Meeting shall be holden at a place, and on some day in the month of June, to be fixed and appointed at the said first and every subsequent Annual Meeting; and, if no day shall be fixed and appointed, as aforesaid, and if the said Annual Meeting shall not be holden on the second Wednesday in the month of June;—and, if no place shall be fixed and appointed, as aforesaid, it shall be holden in the City of Toronto aforesaid. *Provided* always, that every person who shall, at the time of any such Annual Meeting, be duly authorized to celebrate the ceremony of matrimony in Our said Province, by virtue of an Act of the Provincial Parliament of Our said Province, made and passed in the first year of Our reign, and assented to by Us, entitled "An Act to Make Valid certain Marriages contracted heretofore, and to provide for the future Solemnization of Matrimony in this Province," and who shall duly have obtained a certificate for that purpose as

a Wesleyan Methodist Minister according to the provisions of the said Act; and no other person whomsoever shall be deemed and taken a Wesleyan Methodist Minister, within the true intent and meaning of these Presents.

That, on the day on which the Annual Meeting in the years 1837, 1838, and 1839, shall be holden, three of the said Trustees appointed by this our Charter, to be determined by ballot, shall go out of office; and on the day in which every Annual Meeting shall be held, after the year 1839, three of the Trustees, who shall then have been longest in office, shall go out of office, calculating the period for which each of the Trustees for the time being shall have been in office from the day of his last election, in case of his having been elected more than once; but the Trustees, who, on the day of any Annual Meeting shall be held, are to go out of office by ballot, or rotation, as aforesaid, shall not be considered out of office until after such Meeting shall have been broken up, or adjourned.

That, on the day on which the Annual Meeting in the year 1837 shall be holden, and on the day on which every succeeding Annual Meeting shall be holden, three Trustees shall be elected, in the places of the three who are to go out by ballot, as hereinbefore mentioned; but every Trustee going out of office, whether by ballot, or rotation, shall be considered immediately re-eligible.

That, in case there shall be any casual vacancy among the Trustees, arising from death, or any other cause, but that of going out by ballot, or rotation, as before mentioned, the Annual Meeting next after, or during which any such casual vacancy shall occur, shall also elect a Trustee, or Trustees, as the case may be, to fill every such casual vacancy; and any person who shall be elected a Trustee in consequence of, and to fill up such casual vacancy, shall be a substitute only for the person whose place he may supply, and shall continue in office only for the same period as the person, whose place he may supply, would have continued, if such person had continued in office until the time when he must necessarily have gone out by ballot, or rotation, as before mentioned.

That the said Annual Meeting to be holden in the year 1837 shall appoint five Visitors of the said Academy, in the place of the five Visitors appointed by this Our Charter. And every subsequent Annual Meeting shall appoint five Visitors in the place of the five who were in office during the preceding year; but any Visitor going out of office shall be re-eligible to be immediately re-appointed to the office of Visitor; *provided* that no person shall at the same time be both a Trustee and Visitor of the said Academy.

That at the Annual Meeting in the year 1837, and at the like Meeting in every succeeding year, the Trustees and Visitors shall report their proceedings during the preceding year, in the execution of their office, and of the then existing state of the Academy, and shall cause the Accounts to be balanced up to the 31st day of December in every year, or up to such other period as an Annual Meeting may, from time to time, appoint; and shall, in every year, produce annually all such Accounts and proceedings before the said Annual Meeting; all which Accounts and proceedings shall be examined in every year before the Annual Meeting, and, so far as such Accounts and proceedings shall be found to be correct, and shall not be found contrary, or repugnant to this Our Charter, or to any Law, as aforesaid, the same shall be allowed and signed by the President and Secretary of the said Annual Meeting, and, being so allowed and signed, shall, unless and until the same be shown to be incorrect, be binding and conclusive on all the Members of the said Corporation, and all persons claiming under them.

That the said Annual Meeting shall, at every such Annual Meeting, elect a President and Secretary from among themselves, who shall continue in office, unless sooner displaced by the said Annual Meeting, until a Secretary and President shall be, in like manner, elected at the then next subsequent Annual Meeting; and such Secretary and President shall each have a vote as other Members of the Meeting; and, in case of an even division, the President, shall have, and give, an additional or casting vote.

That no act in the premises shall be done at the Annual Meeting unless there be forty Members thereof, or upwards, present at the doing thereof; and the act of a majority of the Members present shall be the act of the Meeting.

That the election and appointment of all Trustees and Visitors of the said Academy, by the said Annual Meeting, and all other their acts in the premises, shall be recorded in a Book by the Secretary for the time being, and after being read aloud in the Meeting by the Secretary for the time being, and shall be signed by him and by the President for the time being; and, being so signed, shall, so far as is not repugnant to this Our Charter as aforesaid, be binding on the said Ministers, and all the Members of the said Corporation, and all persons claiming under them.

That, in case the said Act of Our said Province hereinbefore mentioned shall be hereafter at any time, or from time to time, altered, or repealed, in whole, or in part, and any other provision, or enactment, shall, at any time, or times, hereinafter be added to the said Act, or substituted for the same, or any part of it so repealed, and by which added, or substituted, enactment the Ministers of the said Wesleyan Methodist Church in Our said Province shall be authorized

to solemnize matrimony, this Our Charter shall, for all and every, the intents, purposes, and privileges of this Our Charter, be held to have reference to, and shall have reference to every such added, or substituted, enactment as fully and effectually as the same has now, to the said Act, hereinbefore mentioned.

And lastly, We do hereby for us, Our Heirs and Successors, grant and declare that these Our Letters Patent, or the enrollment, or exemplification thereof, shall be, in and by all things, valid and effectual in the Law, according to the true intent and meaning of the same, and shall be construed and adjudged in the most favourable and beneficial sense for the best advantage of the said Academy, as well in all Our Courts of every part of Our Dominion, as elsewhere, notwithstanding any non-recital, mis recital, uncertainty, or imperfection in these Our Letters Patent.

In Witness Whereof, We have caused these Our Letters to be made Patent.

Witness Ourself at our Palace at Westminster this day of in the [year of Our Reign.

We approve this Draft, as now altered.

TEMPLE, 30th May, 1836.

JOHN CAMPBELL, (Attorney-General).
ROBERT M. ROLFE, (Solicitor-General).

The letter of the Reverend Egerton Ryerson to Sir James Stephen, of the 13th of July, 1836, practically closed his Mission to the authorities at the Colonial Office in London. On the 21st of July, 1836, he prepared a full and detailed statement of his interviews and correspondence with the Secretary of State for the Colonies, and sent it out to Canada for publication in the *Christian Guardian* there. He then remained in England collecting subscriptions for the Upper Canada Academy until early in 1837, when he returned to Canada, and submitted the following statement of his financial operations while in England, for eighteen months, from November, 1835, to May, 1837, videlicet :

UPPER CANADA ACADEMY IN ACCOUNT WITH EGERTON RYERSON.

<i>Receipts.</i>	£	s.	d.	<i>Expenditure.</i>	£	s.	d.
By cash for expenses previous to departure for England	45	0	0	To eighteen months' salary at £3 15s. 0d. per month	67	10	0
By cash received from Mr. Thomas Farmer, London	100	0	0	To travelling expenses, board, lodging, washing, stationery, printing, postage, etc., as per account rendered to the Board.	543	15	6½
By cash collected while in England as per collection books	1,272	10	6*	To amount allowed by the Committee of the Board for extra expenses and contingencies.	66	0	0
By balance due E. R.	180	18	0½	To cash paid Mr. Thomas Farmer at sundry times, as per account.	900	0	0
				To cash paid Mr. Farmer for interest on loan	2	5	0
				To cash paid to Reverend Matthew Richey (Principal)	27	18	0
Sterling	1,607	8	6½	Sterling	1,607	8	6½

TORONTO, July 15th, 1837.

EGERTON RYERSON.

Examined and approved by the Committee, on behalf of the Board of the Upper Canada Academy.

JOHN RYERSON, } Committee.
EPHRAIM EVANS. }

* NOTE.—A donation of £100 in books, from the British Conference, will be paid in London to the order of the Book Steward.

OPENING OF THE UPPER CANADA ACADEMY.

The preliminaries which preceded the opening of the Upper Canada Academy are thus referred to by the Reverend Doctor Anson Green, in his *Life and Times*, (1877.):

In the first week of April, 1836, I met the Reverend John Ryerson in Kingston, where we arranged to open the Upper Canada Academy on the 18th of June following. We fixed the fees for board and tuition at the lowest remunerating prices, videlicet :

1. Board, including Room, Furniture, Washing, etc., per annum,	£22 0s. 0d.
2. Tuition : Reading, Writing, Arithmetic, Book-Keeping, Geography, and English Grammar, per term of eleven weeks	1 0s. 0d.
3. Higher Branches of English, including Natural and Moral Philosophy ; Astronomy, Chemistry, etc., per term	1 5s. 0d.
4. The same ; including Latin, Greek, Hebrew, and Mathematics, whether one or all of these branches are studied, per term	2 0s. 0d.
5. French and other Modern Languages, per term	1 10s. 0d.
6. Music, per term	1 10s. 0d.
7. Drawing and Painting, per term	2 0s. 0d.
8. Use of Piano, per term	10s. 0d.
9. Wood for Stove, during the Winter season	5s. 0d.

The Reverend Mathew Richey is appointed Principal,* and we arranged for the Reverend Cyrus R. Allison to go up at an early day to Cobourg, and prepare for the opening. The prospects are encouraging. (Page 201.)

At the Conference held at Belleville on the 8th-13th of June, 1836, the Reverend John Beatty was appointed Agent for the Upper Canada Academy ; and, in an Address to the British, from the Canadian, Conference, dated the 13th of June, 1836, the following passage occurs :

It gives us pleasure to hear of the kind reception which our esteemed Brother, the Reverend Egerton Ryerson, has received in England ; and, when we consider the importance of the object, of his Mission—the spread of general knowledge and religious principles—we venture to hope that his and our expectations will be realized.

June, 1837.—The Reverend Doctor Green continues : My first business, (after Conference, on my new District, was the opening of the Academy. Multitudes of people gathered in Cobourg to witness the ceremony connected with this long-looked for and anxiously-desired event.

We first resolved on establishing this Institution in 1830, (see page 2 and 3 of this Volume.) On the 7th day of June, 1832, Doctor John Gilchrist† laid the Corner Stone ; (page 67 of this Volume.) Since then, the work has moved on slowly to its completion.

We met at the Church for preparatory services . . . after which we went to the Academy. As we entered the grounds the Architect handed me the keys of the Institution. I then led the way to the Chapel . . . (Page 206.)

* The Reverend Mathew Richey was a native of the North of Ireland, where he was classically educated. After emigrating, he found a situation in an Academy in Saint John, New Brunswick For power and pleasantness of voice ; ease and gracefulness of elocution, ready command of . . . language . . . together with a rich variety of theological lore . . . he scarcely had a superior in the Provinces. He was tall and slender, but straight and graceful, as were all his movements. He received the honorary degrees of M.A., and D.D. *Carroll's Case and his Contemporaries, Volume iv, pages 108 and 109.*

* Doctor John Gilchrist, born in New Hampshire in 1792, studied medicine in New Haven, Connecticut, and in 1818, came to Canada and settled near Cobourg. He was the first person who obtained a certificate from the Medical Board of Upper Canada, in 1819, to practice medicine in the Province. Having removed to Otonabee, he erected a grist and saw mill there ; and, in 1829-30, opened the first Store in the village of Keene. In 1831, he resumed his profession in Cobourg. He was elected a member of the Legislature in 1841. In 1842 he became District Treasurer. He removed to Port Hope, in 1849, and died there in 1859, aged 67 years. *Canniff's Medical Profession in Upper Canada, (1894), Part iii., Pages 332-3.*

On the 18th of June, 1836, the formal opening of the Upper Canada Academy took place. A preliminary service was held in the Church in town by the Rev. Joseph Stinson. After which a procession had been formed, it proceeded to the Academy in the following order :

The Architect and the Builder.

The Building Committee.

The Steward.

The Ministers present :

Rev. William Case | The Principal | Rev. Thomas Whitehead.

The Students.

The Choir.

The Spectators.

On arriving at the Academy, the Keys were given up by the Architect to the Reverend Anson Green, Chairman of the District, and the procession entered the Institution, and proceeded to a commodious room set apart for Divine Worship. After prayer being offered by the Reverend Ephraim Evans, the Keys of the Institution were presented to the Principal by the Reverend Anson Green, accompanied by a short address, containing a condensed relation of the commencement and progress of the Building—the difficulties which had been encountered in bringing it to its present state of preparation for the reception of pupils, and concluding by formally investing the Reverend Matthew Richey with the charge of the Academy, and introducing him to the audience as its Principal. The ceremony was followed by an able address from the Principal.

The following were the Officers of the Academy : The Reverend Matthew Richey, Principal ; Mr. H. Baldwin, Classical Master ; Mr. Henry Evans, English Teacher ; Mr. James O'Loane, Mathematical Master ; Mrs. Smith, Preceptress ; the Reverend C. R. Allison, Steward ; the Reverend John Beatty, Agent.

COBOURG,

28th of June, 1836.

JOSEPH STINSON,

Secretary of the Conference Committee.

The Reverend Anson Green, D.D., in his *Life and Times*, (1887,) referring to the result of the Mission of the Reverend Egerton Ryerson to England, says :

June 6th, 1837.—This day the Board of the Upper Canada Academy met and organized, under the Royal Charter, with which His Majesty, (King William the Fourth,) had favoured us. Our public examination was very satisfactory. All parties seemed pleased, and we were much encouraged. We have one hundred and twenty students, eighty of whom are boarders in the Building. . . .

June, 12th 1837.—This day, the Reverend Egerton Ryerson returned from England, and conveyed to me the pleasing intelligence that, on learning of the failure of the Bill in the Legislative Council, granting us four thousand one hundred pounds, (£4,100,) to our Academy, he had applied to Lord Glenelg, the Colonial Secretary, to grant us that amount out of the Casual and Territorial Revenue, which had not been surrendered to our Parliament, and he had the pleasure, (on the day he had left England for home,) to receive a letter from that liberal statesman, saying that he had instructed Lieutenant-Governor Sir Francis Bond Head, to advance us that amount. . . . (Page 211.

CHAPTER XVI.

EDUCATIONAL PROCEEDINGS OF THE UPPER CANADA LEGISLATURE, 1836.

SIR JOHN COLBORNE, AND HIS SUCCESSOR, SIR FRANCIS BOND HEAD*, 1828-1836.

Before proceeding to detail the educational proceedings of the Upper Canada Legislature, during 1836, it may be appropriate to give a brief sketch of the out-going and the in-coming Lieutenant-Governor at the time: Sir John Colborne, and Sir Francis Bond Head. Sir John Colborne arrived in Upper Canada in November, 1828, and Sir Francis Bond Head in January, 1836.

Sir John Colborne was the most noted of the Lieutenant-Governors of Upper Canada since the time of her first Governor, John Graves Simcoe. He came at a time where there was more or less dissatisfaction with his predecessor, Sir Peregrine Maitland, who had been practically recalled by the then newly appointed Colonial Minister, Sir George Murray, who, in 1815, had acted as interim Administrator of the Government of Upper Canada.

On his appointment as Lieutenant-Governor of Upper Canada, in the latter part of 1828, Sir John Colborne had been instructed by Sir George Murray to act in a different manner from that of Sir Peregrine Maitland, in regard to the question of the revision of the King's College Charter. This is apparent from the tenor of his Despatch to Sir John Colborne, on his assuming the office of Lieutenant-Governor of Upper Canada, dated the 29th of September, 1828, and printed on pages 257 and 258 of the First Volume of this Documentary History.

It was a singular coincidence that Sir John Colborne himself, (although he solicited his recall,) yet he was nevertheless practically relieved of his duty as Lieutenant-Governor, late in 1835, on grounds similar to those which had led to Sir Peregrine Maitland being recalled in 1828. Both Lieutenant-Governors differed from the House of Assembly on the question of modifying, or amending, the Charter of King's College. Sir Peregrine Maitland differed, (as Sir George Murray, the Colonial Minister, in his Despatch to Sir John Colborne of September the 28th, 1828, pointed out)—

From the House of Assembly as to the general prevalence of objection to the University, founded upon the degree of exclusive connection, which it has with the Church of England.

*Sir FRANCIS BOND HEAD was born in 1793. He served in the Royal Engineers at Waterloo. . . . In 1835, while acting as Assistant Poor Law Commissioner, in the County of Kent, he was appointed, in November of that year, to succeed Sir John Colborne as Lieutenant-Governor of Upper Canada. He took measures to suppress the Rebellion in 1837-8, in the latter of which years he left Canada. He died in 1875 at the advanced age of 82 years.

In the case of Sir John Colborne, he expressed no opinion on this particular point, but he held that the Church of England should have a preponderating influence in the Council of King's College, as pointed out, as an objection, by Lord Glenelg, the Colonial Minister, in his Despatch of the 17th of June 1835. (See page 214 of this Volume.)

Sir John Colborne also held, and so recommended to Lord Glenelg, that, as the two branches of the Legislature of Upper Canada could not agree on the terms of an amended Charter for King's College, the Imperial Government should assume the duty of amending that Charter itself. He suggested the particular form in which that amendment should be made and, it is assumed, sent to him the form of amended Charter on page 216 of this Volume. With such a mode of settling this question, Lord Glenelg could not agree, and so expressed himself very decidedly, in his Despatch of the 17th of June, 1835, as will be seen by reference to its terms, on page 214 of this Volume.

Such a strong dissent from his recommendation, no doubt, influenced Sir John Colborne to solicit his recall, which took place in November, 1835, and the position of Lieutenant-Governor, thus vacated, was offered to Sir Francis Bond Head in that month.

Sir John Colborne formally opened the Upper Canada Legislature on the 14th of January, 1836, and, on the arrival of his Successor, a week later, he left Upper Canada, after a term of seven years' service as its Lieutenant-Governor.*

In a kindly sketch of Sir John Colborne, in *Toronto of Old*, the Reverend Docter Scadding thus refers to him :

The successor to Sir Peregrine Maitland, in the Government of Upper Canada, was another distinguished military officer, Sir John Colborne. . . . At school, in an edition of Goldsmith's History, then in use, the name of Major (afterwards Sir John) Colborne, (Military Sec-

* On the day after Sir John Colborne opened the Legislature of Upper Canada for the last time, a meeting of his Executive Council was held. At that meeting there were present: the Honourables Peter Robinson, Presiding Councillor, George Herchmer Markland and Joseph Wells. The Council agreed to an Address to His Excellency the Lieutenant-Governor, in which the following passage occurs :

"Pursuant to the views of Lord Goderich, shown in his Despatch of the 5th of April, 1832, in which he concurs with Your Excellency, and expresses his desire 'that a moderate portion of land should be assigned in each Township, or Parish, for ensuring the future comfort, if not the complete maintenance of the Rectors,' the Council caused the necessary steps to be taken for the purpose of setting apart lots in each Township throughout the Province."

The Patents which were prepared, in accordance with this Address, for "a moderate portion of land . . . for the future comfort . . . of the Rectors," were issued in terms of the 'Constitutional Act,' as it was termed, (31st George I, Chapter 31,) which provided for the support of a Protestant Clergy, and for one (or more) Parsonage, or Rectory, or Parsonages, or Rectories, according to the Establishment of the Church of England."

The number of Patents issued under these circumstances was forty-three, out of the proposed number of fifty-seven, which had been agreed upon. Nevertheless their issue caused great dissatisfaction, which was not allayed until, in 1854, the Clergy Reserves, out of which these Rectories were established, were secularized and all serbillance of the union of Church and State in Upper Canada was finally abolished.

In the same year, (1854), a suit was instituted in the Court of Chancery of Upper Canada to test the validity of the Patent issued to constitute the Rectory of Toronto. The decision was "that the Patent . . . is legal and the Rectory validly constituted and endowed."

The Judges who tried this case were the Honourable William Hume Blake, Chancellor, and the Honourable Vice-Chancellors Esten and Spragge. The Counsel for setting aside the Patent were Messieurs Skeffington Connor, Oliver Mowat and John Sandfield Macdonald. For the Rector, Messieurs John Hilliard Cameron, John Hawkins Hagarty, Seeker Brough and Philip M. M. S. Vankoughnet. With one or two exceptions, these gentlemen were afterwards Judges of one or other of the Superior Courts of the Province.

retary to Sir John Moore,) in connection with the account of the death of Sir John Moore at Corunna occurs. . . . The scene . . . is given at greater length in Greig's *Lives of Eminent British Military Commanders*. . . . "I met the General," (Sir John Moore, who had been struck by a cannon ball and his shoulder was completely crushed,) Colonel Anderson says, "being brought in, in a blanket and sashes. He squeezed my hand and said 'Anderson, don't leave me. . . . Colborne has my will and all my papers. . . . Remember you go to ——— and tell him it is my request . . . that he will give Major Colborne a Lieutenant-Colonelcy.' . . . He pressed my hand close to his body, and in a few minutes died without a struggle." (Then, as the Reverend Charles Wolfe has so touchingly added :

Slowly and sadly we laid him down
From the field of his fame fresh and gory ;
We carved not a line, and we raised not a stone,
But left him alone in his glory)

Sir John Colborne himself afterwards, at Ciudad Rodrigo . . . had his shoulder also shattered by a cannon shot. . . . The arm was saved, through greatly disabled. The want of symmetry in his tall and graceful form, permanently occasioned by this injury, was conspicuous to the eye. . . .

Accompanying the family of Sir John Colborne . . . was a shy-mannered, black-eyed Italian-featured Mr. Jeune, Tutor to Sir John Colborne's sons. This was afterwards the eminent Reverend Doctor Jeune, Master of Pembroke College, Oxford, a great promoter of reform in the University, and Bishop of Lincoln.* Sir John himself was a man of scholarly tastes, a great student of history, as well as a practical modern European linguist.

Of late years a monument has been erected at Mount Wise, Plymouth, in honour of . . . this pre-eminently excellent man. . . . It is a statue of bronze . . . a little larger than life ; and the likeness is admirably preserved. . . . On the four sides of the granite pedestal of the statue on Mount Wise are to be read the following inscriptions :

In front : JOHN COLBORNE, BARON SEATON ; BORN 1778 ; DIED 1863.

On the right side : CANADA, IONIAN ISLANDS.

On the left side : PENINSULA-WATERLOO.

On the remaining side :

IN MEMORY OF THE DISTINGUISHED CAREER AND STAINLESS CHARACTER OF FIELD MARSHAL
LORD SEATON, G.C.B.; G.C.M.G.; G.C.H.

THIS MONUMENT IS ERECTED BY HIS FRIENDS AND COMRADES.

On Lord Seaton's departure from Canada, he was successively Lord High Commissioner of the Ionian Islands and Commander-in-Chief in Ireland. He then retired to his own estate in the west of England, where he had a beautiful seat in Devonshire, not far from Plympton. . . . On his decease at Torquay in 1863 his remains were deposited in the Church of Newton-Ferrers, the ancient family burying place of the Yonges. (Pages 125-128.)

The Courier of January the 16th, 1836,† paid also this tribute to Sir John Colborne, on the eve of his departure from Upper Canada :

Education, no less than internal improvement and emigration occupied the early attention of Sir John Colborne. At his bidding, in spite of obstacles innumerable . . . Upper Canada College, with its substantial and appropriate Buildings arose ; and a swampy common was converted into a Seat of Learning. This Institution has certainly been his favourite object. He has annually given a prize of the value of Ten Guineas to the best Latin Scholar under a certain age ; he has taken a personal and never failing interest in its minutest details ; and encouraged the manly English Game of Cricket among the boys. Frequently when passing the College playground on a bright summer's afternoon he would stop, we are told, and look with satisfaction on the lively and animated scene. And well, indeed, might he gaze with unalloyed and virtuous pleasure on this, a spectacle of his own creation . . . Had it been in his power, a University would have followed the establishment of the College ; but, as long as a majority of our Legislators can neither read, nor write, nor speak English, we must please the realization of this golden dream among the baseless visions of Utopia."

*In his Diary, written, in 1835, while collecting funds for the Upper Canada Academy in England, Doctor Ryerson says :

September 9th, 1836.—Very kindly received by . . . the Reverend Doctor Jeune, afterwards Master of Pembroke College.—*Story of My Life*, pages 162, 163.

† *The Loyalist* was Conservative, as was also, after 1831, *The Courier*, edited and printed by Mr. George Gurnett, subsequently Clerk of the Peace, and Police Magistrate of the City of Toronto. (The Reverend Doctor Scadding's *Toronto of Old*, page 279.)

From Mr. Henry J. Morgan's *Sketches of Celebrated Canadians*, (1862,) I take the following additional information in regard to Sir John Colborne :

When Sir John Colborne was at New York in January, 1836, and about to sail for England, he received a Despatch, appointing him Commander-in-Chief of the forces in Canada. He consequently returned and took up his quarters at Quebec . . . and adopted prompt measures for the defence of the country. On the breaking out of the Rebellion, he was fully prepared. On the recall of Lord Gosford he was temporarily appointed Governor-General of British North America, which high office he vacated on Lord Durham's arrival, and was appointed to it again on Lord Durham's departure, in 1838. . . . Sir John Colborne continued to administer the Government until 1839, when he earnestly solicited his recall. The Right Honourable Charles Poulett Thompson (afterwards Lord Sydenham,) was appointed his successor. . . . On the 23rd of October Sir John sailed for England, where new honours awaited him. . . . In 1814 he married the eldest daughter of James Yonge, Esquire, of Puslinch, Devon.* (Pages 261, 262.)

1. EDUCATIONAL PROCEEDINGS OF THE HOUSE OF ASSEMBLY, 1836.

On the 14th of January, 1836, Sir John Colborne, on the eve of his retirement from the Lieutenant-Governorship of the Province, opened the second session of the Twelfth Parliament of Upper Canada with a Speech from the Throne, in which he referred to the subject of Education, as follows :

. . . By making the means of Education general and easily available . . . you will hold forth the strongest inducements to your fellow subjects of the British Empire to unite their fortunes with yours. . . .

In order that the means of Instruction may augment with the population, you will doubtless apply your attention to the foundation and support of Township Schools ; and no longer defer the adoption of measures for rendering the School Lands available, which have been for some time subjected to the control of the Legislature.

The modification, which I have submitted to His Majesty's Government for the Charter of King's College, I shall communicate to you by Message, and I sincerely hope, that the arrangements proposed for the opening of the University will ensure your concurrence.

January 18th, 1836.—Mr. George Rykert gives notice that he will, on Monday next, move for leave to bring in a Bill for the erection and endowment of Provincial Seminaries, and for the establishment and support of Common Schools throughout this Province.

January 19th, 1836.—Mr. Charles Duncombe gives notice, that he will, on to-morrow, move for the appointment of a Committee on Colleges, Academies, Common Schools and School Lands.

January 20th, 1836.—Pursuant to the Order of the Day, (of the 14th January) the House was put into a Committee of the Whole, on His Excellency's Speech at the opening of the Session.

Resolutions on the subject having been reported to the House, those relating to Education were as follows :

Resolved—1. That this House have been anxious in past years to make the means of Education general and easily available, but it has only lately become known to the Legislature that a bountiful provision in Lands was made by the Crown about forty years ago, (1797,) though since deteriorated by a recent unfavourable exchange for inferior lands.

2. The University of King's College was grounded on a Royal Charter sought for and granted in 1826 [1827] upon principles so exclusive and sectarian, as to render it deservedly unacceptable to the great body of the people, for whose benefit it was professedly intended ; and although the most reasonable modifications were suggested by a series of Resolutions in the year 1829† yet it is now for the first time that His Excellency has been enabled to announce from His Majesty's Government any specific proposition respecting it.

*Yonge Street and Puslinch Township are names derived from this circumstance.

†The Resolutions are inserted on pages 274, 275 of the First Volume of this Documentary History.

3. Nor ought this House to fail to notice, that large appropriations have been made out of the University funds, not to the District (Grammar) and Township (Common) Schools, undeservedly neglected, but to sustain Upper Canada College, in this city, in which the sons of all the wealthier families are educated, and which ought, therefore, to be supported without so questionable an encroachment on public funds. . . .

4. That this House will give their serious consideration to the modification His Excellency has submitted to His Majesty's Government for the Charter of King's College [See page 220 of this Volume] when His Excellency will communicate it to them by Message; and this House sincerely hopes that the arrangements proposed for the opening of the University will be such as to ensure their concurrence.

On the question for the adoption of these Resolutions, Mr. Solicitor-General Hagerman, seconded by Mr. Charles Richardson, moved that all the words after *Resolved* be expunged and that the following be inserted :

That, fully convinced that by rendering Education generally and easily available, we shall, in the most effectual manner, improve the condition of a people, peaceably and prudently exercising the privileges of a free Government and firmly attached to the British Constitution, we shall apply our earnest and anxious consideration to every measure tending to so desirable an object—connected with which subject the establishment and support of Township Schools.

The management of School Lands, and any communication His Excellency may be pleased to make on the subject of the Charter of King's College, will be included in our deliberations.

On which the yeas and nays being taken, were as follows : Yeas 14, Nays 30 ; so the amendment passed in the negative by 16 votes.

In amendment to the original question, Mr. Peter Perry, seconded by Mr. Thomas Mackay, moves that [the first Resolution in the Address, as above] be expunged, and the following be inserted :

That we are not unmindful of the munificence of our late beloved Sovereign in setting apart, many years ago (in 1797) 500,000 acres of land for the purpose of Education in the several Districts of this Province, and no doubt intended for the general benefit of the people, and we sincerely regret that His Majesty's Government was prevailed upon, about the year 1824 [1825-1827]* on the recommendation of the Executive of this Province, made without the knowledge or approbation of the people or their Representatives, and before any steps had been taken to carry the first object of the appropriation into execution, (namely, the establishing and endowing of Free Grammar Schools in the several Districts,) to divert the most valuable portion of those lands, amounting to 225,000 acres, from the said object and to the endowment and support of King's College, in addition to the endowments so liberally bestowed upon that Institution—an Institution established upon exclusive and sectarian principles, and otherwise not suited to the wants and circumstances of the Country, while the remaining portion of the said lands have, in like manner, been so exchanged by the Government, as, in our opinion, materially to lessen their value ; and

Although this House has been unceasing, in accordance with the desire of the great body of the people, and the known wishes of His Majesty's Government, (as expressed in various Despatches of different times,) in its endeavours to extend the valuable blessings of Education to all classes of His Majesty's subjects without distinction, by disposing of the Clergy Reserves for Common School purposes, and by obtaining the restoration of the lands first intended for Free Grammar Schools in the several Districts ; and

By such a modification of the Charter of King's College, as would place it on such a basis as to enable the youth of the country, without discrimination, who desire to obtain the higher branches of Education, to participate equally in its blessings ;

These measures have been thwarted in the Legislative Council, and thereby rendered unavailing, and

We feel bound in candour to state, that the present is the first time this House was ever made acquainted that any recommendation for the modification of the said Charter had proceeded from the Executive Government of this Province ; and

We sincerely hope that His Excellency, in making the recommendation to which he alludes, has been influenced by the wishes of the people of this Colony, so repeatedly expressed through their Representatives.

On which the yeas and nays being taken, as follows : Yeas 4, (Messieurs Thomas Mackay, Peter Perry, John P. Roblin and John Strange) ; Nays 36 ; majority against the amendment 32 votes.

*This exchange of Crown Lands is referred to on pages 204 and 205 of the First Volume of this Documentary History.

On the question for passing the original Address, the yeas and nays being taken, were as follows : Yeas 29 ; Nays 12 ; majority in favour of the Address, 17 votes.

January 21st, 1836.—Mr. Speaker reported, that when the House attended upon His Excellency with its Address, in answer to His Excellency's Speech at the opening of the present Session, and presented the same, His Excellency had been pleased to make the following reply :

GENTLEMEN :

With respect to your observations on the Charter of King's College, I have to state, that although no precise proposals for the modification of the Charter have originated with His Majesty's Government, nor is it now intended to suggest any on the part of His Majesty's Ministers, you have frequently been informed that the King is desirous of affording prompt attention to the wishes of the Legislative Council and the House of Assembly, and of giving effect to such measures as might be agreed on by them, for the amendment of the Charter.

GOVERNMENT HOUSE,
21st January, 1836.

J. C.

Mr. Peter Perry gives notice that he will on Saturday next (23rd) move for leave to bring in a Bill for the sale of the Clergy Reserves for Common School purposes.

Mr. William B. Wells brought up the Petition of the Reverend James W. Campion, A.M., of the Town of Prescott, which was laid on the Table.

Friday, January 22nd, 1836.—Pursuant to the Order of the Day the following Petitions were read :

Of Mr. Thomas Markland, and twenty-nine others, shareholders in the Midland District School Society,—setting forth that the Act of Incorporation [passed in the year 1815 ; page 92 of the First Volume of this History] makes no provision for assigning the shares of the same, or of succeeding to shares by inheritance, or otherwise ; the consequences of which could not have been intended by the Legislature ;—and that no provision is made for the filling vacant offices, occasioned by death or otherwise.

Your Petitioners, therefore, pray that their Act of Incorporation may be amended, by enabling the heirs and assignees of shareholders in the said Society, to enjoy the rights and privileges attached to the said shares ; and also to provide for supplying the vacancies which may, from time to time, arise in the offices connected with the said Society ;—and further praying, that the said amendment may extend to make it obligatory on the Treasurer of the said Society, to account annually, or oftener, if required, to the President and Trustees of the said Society, for the funds in his hands, and also to make it the duty of the said President and Trustees, to report for the information of the said shareholders, on the state of the said Society, at the annual meeting in each year previous to a new election of the officers for the ensuing year.

On motion of Mr. Solicitor-General Hagerman, seconded by Mr. David Gibson, it was ordered that the Petition of Mr. Thomas Markland and others, shareholders in the Midland District School Society be referred to a Select Committee, composed of Messieurs Peter Perry and John Strange, with leave to report thereon by Bill, or otherwise.

Mr. Solicitor-General Hagerman gives notice, that he will, on to-morrow move for leave to bring in a Bill to provide for the appropriation and management of School Lands in this Province.

Pursuant to notice (on the 19th instant), Mr. Charles Duncombe, seconded by Mr. Robert Alway, moves, that a Select Committee be appointed on the subject of Education to be composed of Messieurs Alexander Chisholm, William Bruce, Thomas D. Morrison, Peter Perry, Robert G. Dunlop and David Thorburn, with power to send for persons and papers, and with leave to report thereon by Bill, or otherwise ;—and that the 29th and 31st Rules of this House be dispensed with, so far as relates to this motion.

Pursuant to notice on the 18th instant, Mr. William L. Mackenzie, seconded by Mr. Thomas D. Morrison, moves, that so much of the Journals of last Session, as relates to the report of the Select Committee on the Petition of Thomas Appleton, Common School Teacher, Toronto, be now read.

On motion of Mr. William B. Wells, seconded by Mr. Alexander Chisholm, it was ordered, that the Petition of the Reverend James W. Campion, A.M., praying for the support of Grenville College, be referred to the Select Committee on Education.

On motion of Mr. Mackenzie, seconded by Mr. Wilson, it was ordered that the Report on Mr. Thomas Appleton's Petition, [printed on page 169 of this Volume] praying that he be remunerated for Common School money withheld from him, be referred to the Committee on Finance.

January 25th, 1836.—Pursuant to the usual Order the following Petitions were read :

Of the Reverend James W. Campion, A. M., of the Town of Prescott, stating that he has erected an extensive Establishment in said Town for the education of youth, denominated, "the Grenville College,"—that Petitioner has established said College upon the most liberal principles, affording an opportunity for children of parents of all denominations to receive a genteel and useful education. (See note on page 193 of this Volume.)

That Petitioner has selected Teachers of unexceptionable character, to one of whom he pays, out of his own private funds, the sum of one hundred pounds (£100) per annum.

The Building will contain 250 or 300 children of both sexes ; and, in it, are taught several children gratis ; also praying the House to take the premises into consideration, and provide suitable means for the support and continuance of the Establishment.

Of Mr. William Johnson and thirty-five others, of the Township of Georgina, Home District, praying for a sum of money to enable them to complete the building of a School House, which they have commenced,—and likewise for the support of a Teacher of good education.

On motion of Mr. John McIntosh, seconded by Mr. Dennis Wolverton, it was ordered that the Petition of Mr. William Johnson and others of Georgina, be referred to the Select Committee on Education to report thereon.

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Thomas Parke, moves that there be a Standing Committee appointed upon the subject of Common Schools, and School Lands ; and that Messieurs Peter Perry, Alexander Chisholm, Thomas D. Morrison, William Bruce, Charles Duncombe and Robert G. Dunlop, do compose the same ; and that they have power to send for persons and papers, and to report thereon by Bill, or otherwise ; and that the 29th Rule of this House be dispensed with so far as relates to the same, which was ordered.

Pursuant to notice, on the 21st instant, Mr. Peter Perry, seconded by Mr. Charles Duncombe, moves for leave to bring in a Bill for the sale of the Clergy Reserves in this Province for the purposes of (Common School) Education.

Friday, January 29th, 1836.—Pursuant to notice, Mr. George Rykert, seconded by Mr. John A. Wilkinson, moves that this House do now resolve itself into a Committee of the Whole upon the erection and endowment of Provincial Seminaries and Common Schools. Which was carried and the House was put into Committee of the Whole, Mr. Donald A. E. McDonell in the chair.

The House having resumed, Mr. McDonell reported that the Committee had risen. The Report was received, and thus the Bill was dropped.

January 30, 1836.—Mr. Edward McMahon, Civil Secretary, brought down from His Excellency, the newly appointed Lieutenant-Governor, Sir Francis Bond Head, a Message, with copy of Despatch, containing Instructions from his Majesty's Government to His Excellency, upon his assumption of the Government of this Province. The Message and Instructions were read. That part of these Instructions from His Majesty's Government, dated the 5th of December, 1835, and relating to Education, is as follows :

Respecting the Collegiate Institutions of the Province, the House of Assembly express their opinion that "the Upper Canada College is upheld at great public expense, with high salaries to its Principals, Masters, but that the Province in general derives very little advantage from it, and that it might be dispensed with." His Majesty's Government can have no wish to retain any charge for this Establishment, which may be more than adequate to provide for the effective performance of the duties of the Teachers. Any wise retrenchment of that nature may, subject to the principles already mentioned, be immediately introduced.

That the Province derives little benefit from the College is a fact of which the explanation is to be found, not in the principle of the Institution itself, but in some error of management, susceptible, as it should seem, of an easy remedy. It is impossible to believe that in Upper Canada, as in other countries, advantages, the most important, would not result from a well-ordered School for the Education in the Elementary branches of Philosophy, Science and Literature, of young men who aspire to fill the highest offices in Society. Nor can I suppose it a light benefit thus to connect together the preparatory and the final studies of youth in one systematic plan, which, by rendering the initiatory School a careful preparation for the University, may give to their entire education a character of solidity and consistency scarcely attainable by any other method.

I shall, therefore, deeply lament the abolition of a College of which the defects would appear so remediable, and of which it does not seem easy to exaggerate the benefits.

On the subject of King's College an unfortunate difference of opinion exists between the Legislative Council and the House of Assembly, which each of these bodies concurs in pronouncing incurable.

His Majesty commands me to tender, through you, his mediation on the subject. With the previous assent of both Houses, the King will cheerfully resume the consideration of the question, in what manner a Charter could be most conveniently prepared, so as to promote the interests of Science and Literature, and the study of Theology and Moral Philosophy, with a due regard to the opinions which seem to prevail in the Province respecting the proper constitution and objects of an University.

But, after having distinctly referred to the Local Legislature the duty of giving effect to their own wishes on the subject, in the form of an Act of General Assembly, His Majesty cannot, at the instance of one only of the two Houses, withdraw it from their cognizance.

DOWNING STREET,
5th of December, 1835.

GLENELG.

February 3rd, 1836.—Pursuant to the Order of the Day the Petition of Mr. George Hamilton, J.P. and forty others of the Ottawa District, laid before the House on the 29th of January, 1836, praying for an alteration in the Act granting moneys for the support of Common Schools in that District.

Mr. George S. Boulton brought up the Petition of Mr. Walter C. Crofton, Teacher of the District (Grammar) School of Newcastle (Cobourg) and forty-eight others, which was laid on the Table.

On motion of Mr. Alexander Chisholm, seconded by Mr. William Bruce, it was ordered that the Select Committee on the subject of Education, and the Standing Committee on the subject of Common Schools, and School Lands, be blended into one Committee, and that Messieurs John Gilchrist and George Rykert be added to the said Committee, and that the 31st Rule of this House be dispensed with so far relates to this motion.

Pursuant to notice Mr. William L. Mackenzie, seconded by Mr. John McIntosh moves that it be—

Resolved—That an humble Address be presented to His Excellency, the Lieutenant-Governor, setting forth, that on the third day of March last, (1835), this House addressed the late Lieutenant-Governor, requesting certain detailed information relative to Upper Canada College, and King's College, of which, up to this date, the first, second, fourth, fifth and sixth items, have been withheld without any good or sufficient reason, being alleged on the part of the Executive Government, or the Officers entrusted with the funds of these Institutions, and humbly praying His Excellency, that the information prayed for in the said Address may be communicated to the House at the earliest possible period; and that, as soon as they can be prepared, returns may be made to the House, containing the information relative to revenue expenditure of these Institutions, and of the number of scholars and course of Education in Upper Canada College; and that Messieurs Samuel Lount and Charles Waters be a Committee to draft and report said Address. (This being agreed to):

Mr. Charles Waters, from the Select Committee to draft and report an Address to His Excellency, the Lieutenant-Governor, requesting His Excellency to communicate to this House certain information respecting Upper Canada College, (and King's College) reported a draft, which was received and read twice, adopted and ordered to be engrossed and read a third time this day.

Pursuant to the Order of the Day, the foregoing Address to His Excellency the Lieutenant-Governor was read the third time, passed and signed by the Speaker, and is as follows:

To His Excellency Sir F. B. Heald, K. C. H., Lieut-Governor of the Province of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, beg leave to inform Your Excellency that on the third day of March last [1835; page 164 of this Volume] this House addressed the late Lieutenant-Governor (Sir John Colborne), requesting certain detailed information relative to Upper Canada College and King's College, of which, up to this date, the following items prayed for in that Address, viz.:

First.—The whole expense which has attended the building of Upper Canada College, with the House, and Gardens, Outhouses belonging thereto, and all the improvements and altera-

tions made in the said premises, from the commencement up to this time; with the authority under which such buildings were erected, and such alterations and improvements made, and from what the payments have been severally taken.

Second.—The expenditure which has been made on the grounds purchased for King's College from the time the grounds were purchased; with all the salaries, incomes, allowances, fees, perquisites and emoluments of every description, paid or ordered to be paid to any persons as officers, servants, or workmen, or in any other way connected with the Institution up to this date; shewing, what each person has received, and describing the services he has rendered therefor, and the sums alleged to be due to any persons, as officers of the Institution.

Fourth.—The receipts, arising from whatever source, of the Upper Canada College, since the 30th June, 1831; the debts due the College; the income arising from fees of tuition, and the rates of tuition—also the expenditure of the College since the said 30th of June, detailing the fixed salaries and the contingencies, and mentioning to whom they were severally paid, and at what times, and for what services; and stating all debts or obligations against the Institution, and the whole income, wages, emoluments, and allowances paid to its officers and servants severally.

Fifth.—Full and detailed statements of particulars of the receipts and payments of which a general abstract only is given in the Documents respecting King's College, Upper Canada College, and the General Board of Education, which accompanied Your Excellency's Message to this House of the 12th January, 1832; and pointing out what the services are for which certain officers not named, had received two hundred pounds, (£200,) up to that period, and claimed four hundred pounds, (£400,) more, as arrearages from the funds of King's College.

Sixth.—A statement, going into particulars and shewing what moneys have been paid into the Treasury of King's College since the 30th June, 1831, and mentioning the reasons, if any, why the funds of King's and Upper Canada College might not be paid to, and by the Receiver-General, and the burthen of a plurality of officers and offices removed. Information on these items have been withheld, without any good or sufficient reason being alleged on the part of the Executive Government, or the Officers entrusted with the funds of these Institutions; and we humbly pray Your Excellency that the information prayed for in the said Address may be communicated to us at the earliest possible period, and that as soon as they can be prepared, returns may be made to the House, containing the information relative to the revenue and expenditure of these Institutions, and of the number of scholars and course of education in Upper Canada College.

MARSHALL S. BIDWELL,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
February 3rd, 1836.

Messieurs John P. Roblin and Peter Shaver were appointed a Committee to wait upon His Excellency and learn when he would be pleased to receive this Address.

February 5th, 1836.—Pursuant to the Order of the Day, the following Petition was read: Of Mr. Walter C. Crofton.* Teacher of the Newcastle District (Grammar) School (Cobourg) and forty-eight others, praying assistance in furnishing the said School with necessary Apparatus, etc.

Mr. John P. Roblin, from the Committee to wait on His Excellency, the Lieutenant-Governor, with the Address of this House, requesting information in relation to King's College, and the Upper Canada College, reported delivering the same, and that His Excellency had been pleased to make thereto the following answer:

GENTLEMEN:

The information required in the Address of the House of Assembly relative to Upper Canada College and King's College, presented to my Predecessor, during the last session, shall be transmitted to the House of Assembly on Monday next, and the further information required in this Address, shall be forwarded as soon as it can be obtained.

F. B. H.

GOVERNMENT HOUSE,
Toronto, 5th of February, 1836.

February 8th, 1836.—On motion of Mr. George S. Boulton, seconded by Mr. James E. Small, the Petition of Mr. Walter C. Crofton, of Cobourg, was referred to the Select Committee on Education.

* I knew this Mr Crofton. When I was at Victoria College, Cobourg, in 1840-1845, he was Editor of the *Cobourg Star*; afterwards he was, (before Confederation,) connected with one of the Government Departments at Toronto.

Mr. Speaker reported that Mr. Secretary Joseph had brought down several Messages and Documents from the Lieutenant-Governor and read the following one relating to Education :

F. B. HEAD :

The Lieutenant-Governor transmits to the House of Assembly, with reference to its Address of the 3rd of April last, [should be 3rd of March, 1835], presented to his Predecessor, two communications from the Bursar of King's College.

F. B. H.

GOVERNMENT HOUSE,
8th February, 1836.

The Documents enclosed by the Lieutenant-Governor were letters to the Governor's Secretary, from the Honourable Joseph Wells, Bursar of King's College, dated respectively the 16th of January and the 11th of April, 1836. In the latter of which, the Bursar states that

The minute details called for in the Address of the House of Assembly of particulars of general items in the former abstracts, as recorded in their Journals, will be prepared before the next meeting of the Legislature and shall be timely transmitted to His Excellency. . . .

In the letter of the 16th of January, 1836, the Bursar said : In answer to your enquiry by the direction of His Excellency the Lieutenant-Governor, whether the remainder of the Documents called for by the Commons House of Assembly, in the last Session of the Legislature, relative to King's College and Upper Canada College. are ready for delivery, I have the honour in reply to acquaint you that they will be sent in a few days with a further detail of the receipts and expenditures for the year 1835.*

N. B.—Statements will be prepared before the next Session, respecting King's College and Upper Canada College, as called for in the first and second paragraphs of the late Address of the House of Assembly.

On the same day, (8th of February, 1836,) the following Message from the Lieutenant-Governor was read by the Speaker :

F. B. HEAD :

The Lieutenant-Governor transmits to the House of Assembly, with reference to an Address of the House presented to his Predecessor during the last Session, a Statement received from The Right Reverend Alexander Macdonell, Roman Catholic Bishop of (Regiopolis) Upper Canada, of the moneys received from Government, and disbursed by him for the Roman Catholic Clergy, and Teachers under his superintendence in the Province.

F. B. H.

GOVERNMENT HOUSE,
8th February, 1836.

The Documents which accompanied this Return from the Roman Catholic Bishop of Regiopolis, included a series of payments by the Bishop to his clergy and to School Masters, and for the erection of School Houses, as detailed in the accounts of these payments, sent to the Lieutenant-Governor by Bishop Macdonell, in response to an Address from the House of Assembly to Sir John Colborne, on the 17th of February, 1835. (Page 163 of this Volume. See also pages 141 and 190–193 of this Volume.)

The details of payments which were made by the Bishop, out of the Imperial Government appropriation to him for these purposes, are included in a number of separate accounts, contained in Appendix, Number 20, Volume I., of the Journals of the House of Assembly for 1836, and covering fifteen pages of the Appendix.

*A series of abstracts of accounts accompanied these letters. They are of too minute a character to be inserted in this Volume. They will be found in detail in Appendix, Volume I., Numbers 18 and 64, of the Journal of the House of Assembly for 1836.

The following Memoranda were prefixed to these Accounts :

1. The first issue of the Government appropriation to Catholic Clergymen and Teachers to the amount of Seven Hundred and Fifty Pounds Sterling, (£750,) was made in the month of November, 1827, as may be seen by the Honourable James Baby's letter, (Number 1,) of the 25th of that month.*

2. Four Hundred Pounds, (£400,) of this sum went to refund an equal sum which Bishop Macdonell borrowed from the Receiver-General, upon his own responsibility to relieve the wants of his Clergy in the former part of that year, (1827,) as shewn by the same letter of Mr. Baby.*

3. Mr. Baby was so obliging as to take the trouble of receiving and distributing the Government appropriation among the Catholic Clergy and Teachers of Upper Canada from that period till the first of January, 1829, when (the Very Reverend) Mr. O'Grady got the management of it as proved by his letters of the first and eleventh of July, 1829, Numbers 3, 5.* He continued in the management of it till the first of July, 1831. Bishop Macdonell then took it in hand himself.

4. The Honourable James Baby's papers will show Vouchers for the distributions made by him, and Mr. O'Grady will have to account for the money distributed by himself.

5. The following are the distributions made by Bishop Macdonell, during the time he has had the management of it.

Here follows a detailed series of payments by Bishop Macdonell to Clergy and Teachers for the years 1831, 1832, 1833, 1834 and 1835. From them it appears that in the first half of the year 1831 four Teachers were paid from £9 to £18 each, or £47 in all ; in 1832, four Ecclesiastics and male Teachers and some female Teachers were paid £105 ; in 1833, six Ecclesiastics and male Teachers received £77 10d. 0s. ; in 1834, twelve Ecclesiastics and male Teachers received £230 ; in the first half year of 1835, eight Ecclesiastics and male Teachers received £114.

All of these payments were apparently for teaching, for in the same years, 1831-1835, separate payments are entered in these accounts as paid to the Roman Catholic Clergy. Another series of accounts are given of payments made to each of the individual Clergy. The following is a statement of the distribution of the Government Appropriations to the Roman Catholic Teachers and Ecclesiastics of Upper Canada for the years 1831, 1832, 1833, 1834, 1835.

Periods.	Names of Teachers, etc.	£	s.	d.
For the last half of 1831.....	To O'Grady, Very Reverend W. John, for J. Butler.....	15	0	0
	Kennedy, William, Sandwich.....	10	0	0
	Parent, Mr., Amherstburgh.....	10	0	0
	Kennedy, William, St. Raphael's.....	9	0	0
For the year 1832	Butler, John, York.....	30	0	0
	Macdonell, Angus, Alexandria.....	20	0	0
	Female Teachers, Sandwich.....	35	0	0
	Dollard, Patrick, Sandwich.....	10	0	0
	Kennelly, William.....	10	0	0
For the last half year of 1833. (None but Ecclesiastics were paid during the first half.)	Patrick Dollard.....	12	1	1
	Butler, John.....	15	0	0
	Kennelly, William.....	18	10	0
	Macdonagh, John.....	7	0	0
	Joseph Sawyers, York.....	10	0	0
	McIntosh, John, Glengarry.....	15	0	0

* Copies of these letters did not accompany the Documents in this case sent down to the House of Assembly ; nor are they in the Journals or Appendix,

Periods.	Names of Teachers, etc.	£	s.	d.
For the year 1834	Butler, John	13	0	0
	Kennelly, William	24	0	0
	Macdonagh, John	12	0	0
	Dollard, Patrick	27	0	0
	Carrol, John, River Trent	24	0	0
	MacDonell, Angus, Alexandria	24	0	0
	McIntosh, John, Kingston	27	0	0
	Sawyers, Joseph, Toronto	24	0	0
	Farrel, John	10	0	0
	Hay, John	15	0	0
For the first half year of 1835 ; (last half not re- ported).	MacDonell, Allan	15	0	0
	McSweeney, John, Sandwich	15	0	0
	Patrick Dollard ..	15	0	0
	Chisholm, James	15	0	0
	Farrel, John	12	0	0
	Hay, John	15	0	0
	Kennelly, William	12	0	0
	McSweeney, John	15	0	0
	Macdonell, Allan	15	0	0
	McIntosh, John	15	0	0
Miscellaneous payments	Postage and stationery for three years	12	11	1
	Outlay on Presbyteries and School Houses in the County of Glengarry	1,500	12	9
	Outlay on the School House in the Town of Kingston	46	7	3
	Outlay on the School House in the Village of Sandwich	50	0	0

The following Memoranda were appended to these accounts:

1. To the above may be added the salaries of . . . four Teachers for seven years, that had been advanced by the Lords of the Treasury, and placed in the House of Garden, Auldjo and Maitland ; (see page 190 of this Volume,) previous to its failure, which Bishop Macdonell was obliged to pay to those individuals out of his own yearly pension, etc.

2. The circumstances under which the above moneys were obtained, and the cause of the loss to Bishop Macdonell were as follows :

In the year 1816, Earl Bathurst, then Secretary of State for the Colonies, was so well pleased with the conduct of the Roman Catholics of Upper Canada, in defence of the Province during the war of 1812, between Great Britain and the United States of America, and the important services they rendered in repelling the invasion of the enemy, that, on Bishop Macdonell's representing to his Lordship the inability of those loyal and meritorious subjects of His Majesty, to support Clergymen or School Masters, his Lordship, in concurrence with Viscount Sidmouth, the President of His Majesty's Council, authorized Bishop Macdonell to engage three Clergymen and four School Masters, at a hundred pounds, (£100,) sterling each, per annum, with a promise that they should be paid by the Provincial Government of Upper Canada.

Bishop Macdonell accordingly engaged Messieurs John Murdock, Angus Macdonald, James Macpherson, and John Hammond, as Teachers, and promised the Reverend Angus Macdonell, the Reverend William Fraser, and the Reverend John Macdonald, that they should receive their share of this expected bounty of Government.

Upon the faith of this promise of Earl Bathurst, the Colonial Minister, Bishop Macdonell placed those Clergmen and Teachers in the different parts of the Province where they were most wanted, but, when the time of payment came, and he applied to the Provincial Government for the payment of the salaries of the above-mentioned individuals, he was informed that there were no funds from whence such salaries could be paid, and was, in consequence, compelled to apply to the Home Government for redress ; and, it was not till after the lapse of seven years, and going himself to England with a Petition, and a recommendation from Sir Peregrine Maitland, the then Lieutenant-Governor of the Province, that he obtained from the Lords of the Treasury the salaries of those Clergymen and Teachers ; but having deposited the money in the House of Garden, Auldjo and Maitland, in London, for the purpose of remitting it to Canada, that House failed before the money could be drawn, and the individuals for whom the money was intended, considered Bishop Macdonell responsible for it, and he accordingly felt himself bound in honour to pay it, which he, at length did by instalments, as above stated. (See pages 141, 163, 190-193 of this Volume.)

February 10th, 1836.—On motion of Mr. Charles Duncombe, seconded by Mr. William Bruce, it was ordered that the Messages and Documents sent down on the 8th instant by His Excellency the Lieutenant-Governor, relating to . . . the University of King's College, Upper Canada College, the General Board of Education . . . and the payments made to the Roman Catholic Clergy by the Bishop of Regiopolis, be referred to the Committee on Finance.

February 11th, 1836.—Pursuant to the Order of the Day, the following Petition, laid before the House on the 9th instant, was read: Of the Trustees of Grantham Academy, praying for a grant of two hundred pounds, (£200,) to enable them to satisfy a judgment against them for that amount. Referred to the Committee of Supply on the next day.

Mr. Solicitor-General Hagerman gives notice that he will, on to-morrow move for leave to bring in a bill authorizing His Majesty to alter and amend the Charter of King's College.

February 12th, 1836.—The Petition of Mr. Simeon S. Eastman and others, of West Hawkesbury, presented to the House on the 10th instant was read, praying that an Act may be passed to enable Mr. Peter Beers to convey a piece of land to them for the purposes of a School House.

February 15th, 1836.—The Petition of the Trustees of the Niagara District (Grammar) School, presented to the House on the 12th instant, was read, praying that the said School may be put on a more respectable footing, and that a sufficient sum be granted for the support of the Master and two Assistants; also for the purchase of Apparatus for the illustration of Science.

February 16th, 1836.—The Petition of the Reverend D. Macaulay, Master of the Home District (Grammar) School, presented to the House on the 13th instant, was read, praying that the District (Grammar) School of the Home District—of which he is Master—may be properly supported.

On motion of Mr. James E. Small, seconded by Mr. John A. Wilkinson, the Petition of the Reverend D. Macaulay was referred to a Select Committee, to be composed of Messieurs David Thorburn, George Rykert and Charles Duncombe, with power to send for persons and papers, and to report by Bill, or otherwise.

February 17th, 1836.—On motion of Mr. William L. Mackenzie, seconded by Mr. James Durand, it was ordered, that Messieurs Robert G. Dunlop, David Gibson, Charles Duncombe and John McIntosh be a Committee to consider and report a plan for the Geological Survey of this Province; that they have power to send for witnesses and report by Bill or otherwise.

February 18th, 1836.—Mr. James E. Small from the Select Committee, to which was referred the Petition of the Reverend D. Macaulay, presented as a first Report, the draft of an Address to His Excellency the Lieutenant-Governor, which was received, read twice, concurred in and ordered to be engrossed and read a third time this day.

February 19th, 1836.—Pursuant to the Order of the Day the Address to His Excellency the Lieutenant-Governor relative to the Home District (Grammar) School, was read a third time and passed, and is as follows:

To His Excellency Sir F. B. Head, K.C.H., Lieut.-Governor of the Province of Upper Canada, etc.

MAY IT PLEASE YOUR EXCELLENCY:

We, His Majesty's dutiful and loyal subjects, the Commons of Upper Canada, in Provincial Parliament assembled, respectfully request that your Excellency will be pleased to order to be laid before this House, without delay, a statement of the expenditure of the allowance for a District (Grammar) School Master for the Home District, since the resignation of that situation by the Venerable the Archdeacon of York. As also any information that it may be in your Excellency's power to communicate upon the subject of the Provincial Philosophical Apparatus purchased for the Province under the authority of an Act of the Parliament of this Province, passed in the 46th year of the reign of King George the Third, 1806, Chapter iii, intituled "An Act to procure certain Apparatus for the Promotion of Science," [page 56 of the First Volume of this History] and whether there is any, and what, objection to the same being at the service of the Home District (Grammar) School Master, for the illustration of Lectures upon Natural Philosophy and Astronomy.

MARSHALL S. BIDWELL,
Speaker.

COMMONS HOUSE OF ASSEMBLY,
19th February, 1836.

Messieurs Charles Duncombe and Charles Richardson were appointed a Committee to wait upon the Lieutenant-Governor to know when he would be pleased to receive this Address.

Pursuant to notice, Mr. Solicitor-General Hagerman, seconded by Mr. Charles Duncombe, moves for leave to bring in a Bill for the disposal of School Lands. Which was carried, and the Bill read a first time. It was ordered, that the Bill for the disposal of School Lands be read a second time to-morrow.

February 20th, 1836.—Mr. Charles Duncombe, from the Committee to wait upon the Lieutenant-Governor with the Address in regard to the Home District (Grammar) School, reported that His Excellency had been pleased to make the following answer thereto :

GENTLEMEN :

I shall order the information requested in your Address to be transmitted to the House of Assembly without delay.

F. B. H.

GOVERNMENT HOUSE,
February 20th, 1836.

DOCTOR CHARLES DUNCOMBE'S SPECIAL REPORT ON EDUCATION, 1836.

February 25th, 1836.—Mr. Speaker reported that he had received from the Commissioners appointed by a Resolution of the House at the last session [on the 10th of April, 1835 ; page 182 of this Volume] for collecting certain information, two letters, and a Report on the subject of Education. The letters were read as follows :

To the Honourable Marshall S. Bidwell, Speaker of the House of Assembly :

Doctors Duncombe, Morrison and Bruce, being by a Resolution of the Honourable the House of Assembly, [on the 10th of April, 1835,] appointed Commissioners to inquire into and obtain information in regard to "the system and management of Schools and Colleges," in order to report fully upon the systems of Education pursued in the United States, one of our Commission, Doctor Charles Duncombe, was requested, and authorized, to visit that Country, acquire a knowledge of the subject, and report thereon.

That gentleman has done so to our most entire satisfaction ; and we have the honour herewith to hand you the result of his arduous labours and minute enquiries in the Documents now presented, videlicet : a Report upon Education, accompanied by a Bill for the Regulation of Common Schools in this Province ; this being our second Report.

HOUSE OF ASSEMBLY,
24th of February, 1836.

T. D. MORRISON, }
WILLIAM BRUCE, } Commissioners.

To Doctors Morrison and Bruce, Commissioners for obtaining Information upon certain subjects.

I have herewith the honour of submitting for your consideration and for the consideration of the Honourable the House of Assembly, the annexed Report upon the subject of Education, together with a Bill upon, and for the regulation of, Common Schools in this Province—it being my second report. All of which is most respectfully submitted.

CHARLES DUNCOMBE.

TORONTO, 24th February, 1836.

Although this Report is a voluminous document, it is a most discursive one ; and, in the many important matters to which it refers, is somewhat theoretical and superficial. Its facts are taken chiefly at second hand, and may, therefore, be considered the less reliable. A more minute enquiry, (had time permitted,) would have established these facts, and the inferences from them would have rested upon a more solid foundation.

It must not be supposed that Doctor Duncombe undertook the duty of investigating the educational systems of the States in the Union, which he visited, as a mere educational novice. The contrary was the case ; for he had, for some years, taken part in the many discussions on the subject in the House of Assembly, and had also assisted in the preparation of the valuable reports on Education, which had been laid before the House by the Select Committees on Education in the years 1831-1836, during which he was a Member of that House.

The range of Doctor Duncombe's inquiry extended to "the Eastern, Middle, Western and some of the Southern States." He was also aided "by Books, Pamph-

lets and Reports, collected or made by authority of the different Legislatures of the States;" of these, free use was made by Doctor Duncombe in his Report, and from them, as he says, he "made the most lengthy and important extracts" as well as from the "Reports of the School Committees of the Eastern, Middle and Western States, especially the cities of Boston, New York, Albany, Philadelphia, Baltimore and Cincinnati," etc.

The following is a copy of this Report on Education prepared by Doctor Charles Duncombe and submitted to the House of Assembly on the 25th of February, 1836.

To the Honourable the Commissioners, Doctors Morrison and Bruce, etc. :

In obedience to your instructions to me at our meeting at the close of the last Session of Parliament, I proceeded immediately to the United States, to make observations and collect information in the best manner I could, upon the various subjects which this Special Committee had been required to investigate, but feeling the importance, if not the absolute necessity, of combining practical skill with extensive and critical observation upon the great variety of subjects entrusted to my care, I obtained introductions to the Governors and Heads of the Departments in many of the States, and at Washington, to whom I feel myself in duty bound to acknowledge the great obligations I am under to them for their liberal indulgence and kind attendance to my numerous enquiries, for the zeal and philanthropy with which they communicated their own ideas upon the subjects of their particular Departments, and furnished me with letters and references to men of science and to reports and recent publications upon those subjects respectively. Their names deserve to be recorded and their memories to live in the affections of a grateful public—but the immensity of the number of those persons who have aided my inquiries precludes the possibility of my even naming them; and from the variety and multiplicity of subjects to which my attention was directed by the Resolution of the Honourable the House of Assembly at its last Session, and by your Resolution honouring me with the situation of Acting Commissioner for procuring information upon certain subjects, I have been unable, as the importance of the subject of Education required, to condense and digest the information placed within my reach by the heads of Departments and officers of the Literary Institutions which I visited during my journeying in the Western, Middle, Eastern, and some of the Southern States, where every opportunity was afforded me for accomplishing my object, by the many valuable industrious labourers in the cause of Science and Literature who aided me in my inquiries as well by their opinions, freely expressed upon the Literary Institutions of foreign Countries, where many of them had studied, and the honours of which had long been their boast, as by the progress of the same Sciences and Arts in America, under their own immediate superintendence, as also by books, pamphlets, and reports collected or made by authority of the different Legislatures of the States, by the different Literary Institutions, or by the philanthropy and enterprise of individuals, generally made by practical men, and after long and careful investigations, both in Europe and America, of the subjects upon which they have practically treated, especially where popular Education has been made the subject of legislation.

In this report I have made free use of the information contained in the written and printed documents placed at my disposal, as well as the verbal information afforded me by those gentlemen who have so materially aided me in my pursuits. Upon this point I feel the obligations I am under to many gentlemen in various parts of the Union, and had commenced my report with an account of the information derived from the Reverend Mr. Peers, who had by the authority of the State of Kentucky, travelled, examined, and reported upon the subject of Education in several other States, to the Legislature of Kentucky, and by expressing my gratitude to Lieutenant-Governor Morehead, acting Governor of the State, for the philanthropy, zeal, and intelligence with which he freely communicated to me the information I desired upon this and many other subjects connected with my inquiries; as well as to Professors Dudley and Caldwell, of the Transylvanian University, but I found my Report would have necessarily extended to an unpardonable length, so as never to have been read; and thereby the object for which this information was desired would have been defeated; I find myself therefore compelled to make such extracts from all the papers and other sources of information as have been placed within my reach, as in my humble judgment would best conduce to the object designed—that of placing before the Honourable the House of Assembly, in as condensed a form as possible, the present state of the Literary Institutions most worthy of our imitation both in Europe and America.

In doing this I shall endeavour to be as concise as possible, using the opinions and even language of other men where they express my views of the subjects upon which they treat: the books, reports, addresses, and papers from which I have made the most lengthy and important extracts, are the reports and addresses made by the Officers and Members of Yale College—of the Common School Committees' Reports of most of the Western, Middle, and Eastern States, especially the Cities of Boston, New York, Albany, Philadelphia, Baltimore and Cincinnati, as well as from their reports and proceedings upon the subject of their Infant Schools, City Free Schools, Grammar Schools, Literary Institutes, Eclectic Institutes, and High Schools, as well as Monastical Schools, Lancaster Schools, Manual Labour Schools, Primary Schools, and Writing Schools, among which the regulations of the School Committee of Boston is worthy of some particular notice—an Essay upon Female Education by Catharine E. Beecher, written at the request of the American Lyceum, New York—an Address proposing a plan of Female Education, by Mrs. Willard, of the long established and highly respectable Female Seminary of the City of Troy, in the State of New York—a Report from the Reverend R. O. Peers, of Louisville, which was well worthy to have been copied had the limits of my Report admitted it, as well as his Prospectus of the Eclectic Institute established by him at Lexington, and carried into successful operation—Doctor Fisk's Inaugural Address, delivered at the opening of the Wesleyan University, upon the Science of Education, in Middletown, Connecticut—an Address of the Trustees of the New England Institution for the Education of the Blind—Doctor Drake's Discourse on the character and prospects of the West, delivered to the Union Literary Society of Miami University, Oxford, Ohio, at their ninth anniversary, 23rd September, 1834—Journal of the proceedings of a Convention of Physicians of Ohio, held in the City of Columbus in 1835—Debates in the Assembly of the State of New York, May, 1835, on the Bill relative to the rights and competency of witnesses, and an Address on the vice of gambling, delivered to the Medical Pupils of Transylvania University, in 1834, by Professor Charles Caldwell, M.D. Report of the Committee on Education to the Legislature of Kentucky. Thoughts on the spirit of improvement, the selection of its objects, and its proper direction, being an Address delivered, 1835, to the Agatherian and Erosophian Societies of Nashville University, Tennessee, by Professor Charles Caldwell, M.D. Daniel Drake, M.D., discourse on the Philosophy of Discipline in Families, Schools and Colleges, delivered before the Western Institute and College of Professional Teachers, in Cincinnati, Ohio. Inaugural Addresses delivered at the opening of Morrison College, Lexington, by the Reverend B. O. Peers, President of the University. Four annual Reports of the proceedings of the Western Institute and College of Professional Teachers, Cincinnati. The annual Reports of the Dayton and other Academic and Manual Labour Institutions. The Reverend Mr. Marshall's observations upon Literature and Science. Report of the Regents of the University of the State of New York, on the Education of Common School Teachers, Albany, 1835. Report to the House of Representatives by the Committee on Education, 1835. Digest of the Laws and Rules of exercise and discipline in Rensselaer Institute. The Laws of several States of the Union upon the subject of Education. Report on the state of Public Institutions in Prussia, addressed to the Count de Montalivet, Peer of France, Minister of Public Instruction and Ecclesiastical Affairs by M. Victor Cousin, Peer of France, Councillor of State, Professor of Philosophy, Member of the Institute and of the Royal Council of Public Instruction, translated by Sarah Austin. Practical Education, by Maria Edgeworth and Richard Level Edgeworth, F.R.S. & M.R.I.A. The Schoolmaster's Friend, with the Committeeman's Guide, containing suggestions on Common Education, modes of teaching and governing, by Theodore Dwight, jr. Doctor Drake's edition for 1835 of the transactions of the Western College of Professional Teachers. Thoughts on Physical Education, being a discourse delivered to a Convention of Teachers at Lexington, by Charles Caldwell, M.D. A view of the elementary principles of Education, founded on the study of the nature of man, by G. Spurzheim, M.D., of the Universities of Vienna and Paris, and Licentiate of the Royal College of Physicians in London. The introductory discourse, and the Lectures delivered before the American Institute of Instruction in Boston, 1834. The District School, by J. Orville Taylor. Discourses and Addresses on the subject of American History, Arts and Literature, by Julian C. Verplank. Journal of the proceedings of a Convention of Literary and Scientific gentlemen, held in the Common Council Chamber in the city of New York; together with occasional references to and extracts from the common standard works upon the subject of Education.

The first principles of the system recommended in this Report with regard to Common Schools, Schools for the education of the poorer classes, and for the education of Teachers of the Normal Schools, made their appearance almost simultaneously in Great Britain and on the Continent, as appears by the voluminous reports of Lord Brougham, (copies of which have been politely furnished me by Lord Glenelg,) and by Mr. Dick's very able and splendid report upon the Common Schools in some parts of Scotland, and by M. Cousin's reports of the Schools in Prussia and Germany, and Bulver's observations upon Education as a prevention of crime in France, so that when Lord Brougham declared that "the Schoolmaster was abroad," the

remark applied with equal truth to some parts of the Continent, and to Scotland as to England. The glimmering of this beacon light was soon seen across the ocean, and lighted up a similar flame in the United States; Commissioner after Commissioner was sent to Scotland and to England by the authority of their State Legislature, to light their lamps at the fountain of Science, that the whole Continent of America might be ignited by the flame. In all free Governments the welfare and safety of the Government depend upon the national character of the inhabitants, and that national character depends upon their National Education. In the United States, where they devote much time and expense towards the promotion of Literature, they are equally destitute of a system of National Education with ourselves, and although by their greater exertion to import the improvements made in Great Britain and on the Continent, and their numerous attempts at systematizing these modern modes of Education, so as to lay the foundation for a future perfect system of Education adapted to the Institutions of that country, they have placed themselves in advance of us in their Common School System, yet after all their Schools seemed to me to be good Schools upon bad or imperfect systems; they seem groping in the dark, no instruction in the past to guide the future, no beacon light, no council of wise men to guide them more than we have, upon the subject of Common Schools; our Schools want in character, they want respectability, they want permanency in their character and in their support, their funds should be sufficient to interest all classes of the community in endeavouring to avail themselves of them; but whatever the amount should be, it should not be subject to any contingency, as an annual vote of the Legislature; it should be so arranged that all the inhabitants should contribute something towards its continuance, and all those who are benefited directly by it should pay, in proportion to such benefit, a small sum, but quite enough to interest them in the prudent expenditure of their share of the School moneys. I hardly know whether I ought not to apologize to you and to the House of Assembly for the length to which this Report is necessarily extended; if it is thought by any that such an apology is required, I refer them to the importance of the subject as a certain, and I trust to all "lovers of learning," as a satisfactory apology. But this I do know, I ought to explain why this Report is so imperfect and defective. It has been principally prepared and drawn up at unseasonable hours, while the whole of the busy nation were at rest, during the constant hurry and extreme pressure of an immense accumulation of unprecedented important Parliamentary business, while I was required to prepare reports upon various other important subjects, as the Lunatic Asylum, Penitentiaries, Prisons, and Prison Discipline, Banks and Currency, and Commerce. I am aware that the subject of this Report is one of hackneyed discussion. The Science of Education. Nevertheless, the improvements of the present age in this science, and the increased conviction of its paramount importance, as a correlate to others, give it something of the character of novelty; as an old mine which had been supposed to be nearly exhausted, suddenly discloses a new vein, richer and purer than any before, so this old subject may present new and promising aspects, and offer up fresh and rich veins of thought and experiment. Such indeed is the interest now excited on this subject as to move the whole literary world. The spirit of reform is abroad, and is reconnoitring the whole field of operation with a vigilance and an energy that declares unequivocally, something must and shall be done. Nay, this work is already commenced, and, as Lord Brougham declares, "the Schoolmaster is abroad." Scotland has taken the lead, England is not far behind, Germany, Prussia, and France follow close in their wake, and enterprising, industrious, ambitious America, has launched her pinnace to contest for the palm with the Old World, and in the United States important improvements have been introduced into the different grades of Literary Institutions. As antiquity is not always perfection, so innovation is not always improvement. While, therefore, we ought to be wholly uninfluenced by unprofitable traditions, however ancient and authoritative, we ought also to be equally guarded against doubtful and hazardous experiments, however specious and imposing.

Education should be directed in reference to two objects: the good of the individual educated, and the good of the world. The course to promote both objects, it is acknowledged, is nearly, if not quite, the same; but as men are too disposed to consider their own a separate interest, and are prompted by selfishness to act in exclusive reference to that interest, the only safe course is to provide for the Education of youth in direct reference to the wants of the world. Thus every desirable object will be secured; for although a fatal error may result from consulting only what appears to the interest of the individual himself, yet he cannot be educated wrong for any of the purposes of life, who is judiciously educated in reference to the public good. Hence in establishing a system of Education, reference should be had chiefly to the condition and general interests of the great family of man; and next in importance is fixing upon that system and those principles of organization which are best adapted to the capacities of those who are to be taught, and the materials which it will be able to command in its operations, as Teachers and assistants, should be carefully noted. Then, having the proposed system, and the means of accomplishing it, in full view, aided by the light of past and existing experiment, it will be less difficult to introduce and establish the inductive system of

Education in this Province than it has been in any other part of the civilized world where it has been attempted.

I have said that in establishing Literary Institutions, reference should be had chiefly to the condition and interests of the world. This, it is true, is rather a principle of Christianity than of worldly policy. It is founded, however, on the true Philosophy of our being, and is as much a dictate of individual as of general interest. It is obviously the leading principle on which every Christian Community should act. The world has had its infancy, its gradual development of character, its different stages of improvement in the Arts and Sciences, and its great variations in Political Governments and National Ascendancies. Neither have these changes themselves been uniform, nor always for the better. Instead of a regular advancement of light, "shining more and more unto the perfect day," there has been an alternation, if not of night and day, at least of comparative light and darkness. It needs but a single attention to the subject to see that these changes and varieties must require a corresponding modification not only in the system of Education, but also in the modes and means of Instruction, and also in the course and character of the studies pursued. We must look, then, upon the world as it now is, and not as it has been. No Philanthropist engaged in an enterprise of permanent interest to future generations, is qualified for his work unless he can make accurate calculations for the future as well as for the present. In many respects the present condition and future prospects of the world differ from all its past history. And here I will notice, first, the extensive and increasing intercourse which is maintained between different and distant parts of the earth. This is owing chiefly to the interests of commerce; and is one instance out of many, in which the spirit of enterprise for gain and individual wealth is subservient to the great interests of humanity. The merchant, aided by the great improvements in navigation, and other facilities of intercourse, penetrates every sea, bay and harbour, and visits almost every clime. With him he takes, at a comparative small expense, travellers of all descriptions; adventurers, men of leisure, and of wealth; as also Philosophers and men of Science, who note the Laws, and Character, and Literature of the people, and the Geography and Natural History of the Country. From these and other causes, the principal parts of the world are frequented by foreigners. In this way intelligence is communicated readily and constantly, and those who are separated from us by half the circumference of the globe become, as it were, our neighbours, and dwell among us. We thus acquire a common bond of interest, by which the different and distant nations are connected together. In consequence of some of almost every nation having visited foreign countries, in consequence of the dispersion of friends and acquaintances for the purposes of commerce, and other objects, in consequence of the investment of property abroad, and from various other causes, numerous connecting links bind distant nations together by a strong association. Thus local prejudices are subsiding, the improvements of one nation are becoming the property of all, and the strong national barriers that have so long retarded the progress of civilization and improvement are fast melting down. This bond of union is greatly strengthened by the interests of commerce, for by commerce a mutual check is laid upon the encroachments of nations on each other; and thus a ground of national, as well as of individual intercourse, is formed, and the different parts of the great human family are connected by official and national alliances. The general interests of learning, and the mutual alliance of the friends of literature also greatly increase this general union. These, though scattered over the world, form a Republic of themselves, and are drawn together by cords that no distance can attenuate, and bound by connections that no varieties can sever. They all drink of the same fountains without jealousy, and climb up the same intellectual elevations without envy; for the attainments of each are the property of all. True Philosophy has in it nothing of party and caste. Its votaries sit together at the feet of their great Teacher, the God of Nature, humbly and patiently pushing the enquiry, "What is truth," and the eureka of one individual or nation rings round the earth with the rapidity of the winds, and is speedily re-echoed from every enlightened land in responsive acclamations.

The religious enterprises of the Christian Church give another striking feature to the character of the present age. The facilities of intercourse already alluded to, connected with other circumstances, have given a great impetus to these enterprises, and the influence of this religion in return adds much to the strength of those increasing ties by which different nations are bound to each other. The first principles of this Religion is to count every man a brother. It looks abroad through the earth and says, "I am debtor, both to the Greeks and Barbarians, both to the wise and unwise." Its plants of benevolence, therefore, are bounded by no national lines or distinctions. It recognizes a kingdom of a character and extent to comprehend and consolidate all other kingdoms, peoples and tongues; "a kingdom that shall never be destroyed." This kingdom is gaining strength and enlarging its operations; and wherever it goes it spreads the harmonizing influences of its own spirit.

To the preceding characteristics of the present age, we may add the peculiar state of the political world. The advancement of Political Reform; the general movement among the peo-

ple in different nations to assert their rights and secure their liberties ; the increasing light on these subjects, are so much the topics of daily remark and of constant poetical and rhetorical declamation, that I need here only allude to them for the sake of shewing their relation to the varied subjects before us, and for the sake of shewing that in the Political as well as in the Religious world "the fields are white already for the harvest," yea, "the harvest is great and the skilful labourers are few."

And here before we advance further let it be observed that whether we view the subject by the light of history or by the light of revelation, or whether we consider the energetic character of those principles that are now in operation, we are in every case led to the same conclusion—that the march of the principles alluded to is onward, and if the proper means are used, will continue to be onward till the final renovation of our world.

But what has all this to do with the inductive system of Education ? Much every way—Educate on is to be second only to Christianity itself in carrying on this work. By this system and the Education of Teachers the youthful mind is disciplined, the Arts and Sciences are improved, the world is enlightened, and above all, by this an army of faithful, intelligent, enterprising, benevolent men are trained up, and sent forth to be leaders in the great enterprises of the day. I speak not now of one profession merely, Ministers and Merchants, Lawyers and Physicians, Teachers and Statesmen, Farmers and Mechanics, Authors and Artists, all are wanted in this work, and wanted in greater abundance than can be supplied. But they should be men of suitable attainments, and of a proper mould ; and these depend much, very much, upon their education.

It has been supposed that there are too many in the learned professions already, and that therefore there are too many who obtain a liberal education. But this opinion is founded upon two errors : One is that every liberally educated man must be above manual labor, and must therefore enter one of the learned professions ; and the other is, that all who do enter those professions do it and have a right to do it from personal or family interests, and not for public good.—Whereas a liberal education ought not to unfit a man, either in his physical constitution or his feelings, for active business in any honest employment ; and neither ought men who enter any of the learned professions, to excuse themselves from labour and privation for the good of the world. There is a great and pernicious error on this subject.

An education has a twofold object, namely the perfection of the physical, intellectual, and moral powers of man, and the imparting to him a knowledge of the laws of his being. Each of these parts may be divided into general and particular. Education is general, while it regards its subject merely as a being susceptible of improvement, and capable of receiving knowledge ; and particular when its instructions are imparted, to qualify the pupil for some particular station and specific duties in life. It is plain that a portion of the education of all, especially in its earliest stages, must be general ; but it is equally evident that a greater portion must be particular ; and this is especially true of that part of Education which consists in the imparting of knowledge. Life is so short, and man's power of acquiring and of retaining is so limited, that it would be a vain attempt to aim at making each know everything. Indeed, life is too short to master one Science, or to become perfectly acquainted with one profession ; and it is therefore much too short to master all, and yet much more too short to know all that can be known, and also to do all that ought to be done. The great object which we propose and recommend in this report upon the inductive system of Education, is to remedy the defects of the present system, and prepare the rising generation for the regulation and enjoyment of Free, Civil, and Religious Institutions. We think the signs of the times and the present character of the world, demand this. Hence, now, whatever may have been the state of things heretofore, it is criminal to acquire knowledge merely for the sake of knowledge. The man must be disciplined and furnished according to the duties that lie before him.

An education should be such as to give energy and enterprise to the mind, and activity to the whole man. This depends, in part, upon the physical constitution. Hence the necessity of preserving a sound state of bodily health. To secure this, temperance and proper exercise are requisite. But what exercise is best, as a part of a student's education, is still unsettled. Without stopping to discuss that point at large here, in my opinion, the best kind of gymnastics are the exercises of the field and of the shop, in some kind of useful labour. The moral as well as physical effect of such exercises is every way superior to that of others which have been introduced, to say nothing of the addition they make to the wealth of the community ;—and if such exercises are objected to, because they are deemed by many as derogatory to their character, they ought so much the more to be insisted on. It was never designed that fashion and inclination should give rules for Education, but Education ought to direct fashion, and regulate the inclination. But whatever may be the mode of doing it, the strictest attention ought to be paid to the health of the student. This alone, however, will not be sufficient ; the mind also should be cultivated in direct reference to the object of making the pupil a man of enterprise and activity. Everything that is calculated to call forth such a spirit should be cherish-

ed, and everything which discourages it should be discountenanced. The student cannot be too much impressed with the idea that to be a mere man of letters is not the way to be the most useful man. We want men who will take the field, and whose souls are fired with a zeal for active duties in the service of the world.

Closely allied to this spirit of enterprise, and eminently productive of it, are the principle and habit of self-dependence which should imbue the minds of youth at an early age. Nothing is more important in the formation of an enterprising character than to let the youth early learn his own powers; and in order to this he must be put upon his own resources, and must understand if he is ever anything he must make himself, and that he has within himself all the means for his own advancement. It is not desirable therefore that Institutions should be so richly endowed as to furnish the means of Education free of expense to those who are of an age to help themselves; nor is it desirable that any man or any Society of men should furnish an entirely gratuitous education to the youth of this Province. All the necessary advantages for educating himself ought to be put within the reach of the young man, and if with these advantages, he cannot do much towards it, he is not worthy of an education. If it be said that self-support, in part or in whole, is a tax upon time and a great drawback upon the student's acquirements, I answer that in the general, facts shew that such students are in advance of others in knowledge as well as in enterprise; and if they were not, still it is better that they should know less and do more, than that they should know more and do less.

The course above recommended will aid also in forming another trait of character and habit of life which is very important in this miscellaneous and changing world: I mean a facility in passing from one employment to another, and a ready adaptation of feeling to the various duties and changing circumstances of life. The intellectual and corporeal habits of most men are too inflexible, and the transition from one train of thought and from one class of exercises to another, altogether too difficult. They can move in straight lines, and in their old courses, to some purpose, but change their direction and employments, and they become almost useless to the community and to themselves. The amount of public and private loss sustained in this way is very great, and also very unnecessary. In most of these cases the mind might have been so trained that like a ship in good trim it would answer to its helm, and adjust itself to its circumstances however variable the winds and the currents in the stormy sea of life.

But of all the effects to be produced upon the mind by a proper course of training, nothing is more important than the spirit of benevolence, of an enlightened and universal philanthropy. Without the aid of Education, even Religion itself seems hardly sufficient to make a thorough and an enlightened philanthropist. Hence if all the world would now be brought to possess a truly devotional character, they still might not have those enlightened principles of benevolence which are necessary for the general happiness of the world. The truth is, from the first dawning of reason to its maturity, mankind are trained each to look on his own things, and not on the things of another. The lessons of the nursery, the general course of Domestic Training, the policy of Common Schools, and the rewards and honors of the Colleges, all tender to beget and foster a criminal selfishness. The Education which leads to such a state of society is radically defective. Is there no way by which this selfish bias of the heart can be lessened, if not prevented? Far be it from me to teach that we are to be indifferent to our own interest. This is a kind of benevolence which may look well in theory, but it exists nowhere else, either in Heaven or on Earth; either in the bosom of Deity, or in the breast of His holiest creatures. Benevolence, therefore, should be incorporated into every system of Education, not as a separate and an independent Science, but as the seasoning of all and the final cause of all attainments.

In noticing the tone and character which are to be imparted to the mind by the hand of Education, I have purposely omitted all those principles which are the most commonly insisted on in training the young student, and have touched on those only which are less frequently urged, and which seem, nevertheless, of vital importance to the accomplishment of the proposed object—educating men for the good of the world.

My views on the importance of the study of the Ancient Classics are briefly these: Ancient Literature ought always to find an honourable place in our Colleges and Universities. If a knowledge of the Ancient Languages were of no other importance than to preserve the purity of the Holy Scriptures, and secure a correct translation of them into other languages, this would of itself keep these languages in credit, and make a critical study of them necessary. But such is the character of Modern Literature and of the Science, that a few only need devote themselves to Ancient Literature in comparison with the many who can be better employed in other studies. Too much stress is now laid upon a knowledge of the Ancient Classics. It is still deemed heterodoxy to call any man learned who is not skilled in the Greek and Latin Languages. The tone and character of our present system of Education were formed at the revival of letters after the dark ages. But though the causes which led to the present system have passed away, yet by an unprofitable adherence to the traditions of the fathers we must have it still, that what was once necessary to constitute a scholar is still indispensable for the same character.

But the state of Literature and the character of the Sciences, are greatly changed. At the revival of letters in the fifteenth century almost all the learning in the world was locked up in two languages, then out of popular use. Hence to be a scholar it was necessary to be acquainted with Latin and Greek, and with the Roman and Grecian Literature. And indeed at that period the world had so far deteriorated from what it once was, that the only ready way to restore it to its former character was to reclaim the Literature that had been buried for ages in the archives of antiquity,—to consult the manuscripts and symbols of ancient learning, and bring forth to light the obscured and forgotten truths of ancient research and labour. It was this which made the change of that day from darkness to light so sudden and glorious. "We behold," said a learned author, speaking of those times "a flood of noon day bursting all at once over every quarter of the horizon, and dissipating the darkness of a thousand years." The fact was, the world had not to pass through another pupillage without text books or teachers. It had not to serve another apprenticeship without patterns or masters. In the relics of former times there were rules and patterns and instructions in abundance. As soon therefore as a spirit of inquiry and a thirst for knowledge were excited, a great proportion of the light of antiquity burst at once upon the world. This was the new sun that shone almost in meridian splendor at its first appearance. It had never been put out, but only obscured by the murky clouds of barbarism from the Scandinavian forests, and eclipsed by the smoke of superstition that went up from the pit of the beast and the false prophet. When this obscurity passed away, the sun of Ancient Science shone in its full orb'd glory. The attainments of antiquity were soon mastered. The art of Printing, which was invented about this time, gave a ready circulation to this knowledge in all the countries where it was sought. Literature and Science were no longer foreign plants, but had become indigenous in all places where they were cultivated. Neither were the treasures of Science long locked up in the ancient and dead language, but were spread out in the vernacular tongue of every enlightened land. Large additions also were constantly made to the original stock; and vast treasures of wisdom and knowledge have been brought to light, which the eye of antiquity never saw, which the ear of the ancients never heard, and of which indeed they had never formed any conception. Hence the fact now is, and it is a fact that cannot be denied, that there is very little left in the fields of antiquity to be explored. All that is important in Ancient Science, except what is peculiar to the languages themselves, have not only been clothed in a modern dress, but have been incorporated with, and made constituent parts of modern text-books. Modern Literature, therefore, should be counted the great field of literary enterprise and study. If it be necessary that the antiquarian should still make his pilgrimage to the East, and dig after learned hieroglyphics in the ruins of the Acropolis, and in the subterranean depositories of Herculaneum and Pompeii; or if it be necessary, as undoubtedly it is, that some should devote themselves to a critical investigation of the Ancient Languages—so let it be; but from such a tedious pilgrimage, and such an endless study the great body of students should be excused, that they may devote themselves more immediately and more effectually to the great and pressing wants of the world. It may, indeed, be proper, that most students who have an opportunity of commencing an education early, and of pursuing it without embarrassment, should obtain some general knowledge of the Greek and Latin Languages; especially as there is an age in the development of the youthful mind, in which language, perhaps, can be pursued to greater advantage than any other study;—and if at that age a good foundation can be laid for a knowledge of Etymology, of Philology in general, and for a more ready attainment of the Modern Languages, this would be advantageous to the pupil.

The proper organization of a board of instruction is a matter of great moment, and of difficult attainment. All agree that they should be united among themselves; that they should be men of learning, apt to teach, unimpeachable in their life, gentlemanly and winning in their manners, illustrious in their habits, energetic and enterprising in their character, interested in their work, and faithful in the performance of their duties. But how to obtain such, how to keep them such after they are put in place, and how to get rid of them readily if they prove not to be such, are questions that have never been satisfactorily settled. After the greatest precaution, improper persons may be introduced into the board of instruction, who may change the whole system. But it is probable that more failures result from a defective organization in the tenure and emoluments of office, than from the appointment of incompetent officers.

In all Literary Institutions, should not the faculties for the time being be authorized by law to have a voice in filling vacancies in their board, or in removing an uncomfortable associate, which however is not generally the case in the Colleges of the United States, where the want of such a law, and the consequent evils, are daily loudly complained of.

There is no copartnership whatever that so imperiously requires union and confidence among the partners, as an association for the government and instruction of youth. And yet there are few associations even for the ordinary purposes of life, in which there is not greater

precaution used to secure that union and mutual confidence, than in all Literary Seminaries that are but one advance above Common Schools. Again, when a person is elected to a seat in a College Faculty, it is generally considered to be, at his own option, an appointment for life; except in those strong cases of immorality, or dereliction from official duty which will authorize formal charges and an impeachment. . At any rate, under existing usages, any attempt to get rid of a President or Professor is generally attended, not only with unpleasant consequences, but with serious injury to the Institution. The effect therefore is as might be expected; incompetent and inefficient men often hold their offices for years, and not unfrequently for a long life, in the United States; in this way the funds of the Institution are wasted, the benevolence of its patrons is abused, the department languishes, the students not only lose their time and money, but what is incomparably worse, there is a gap in their education which is never repaired. Add to these, the reputation of the Institution itself sinks, the general literature of the country is depressed, and the world suffers an incalculable loss.

Another evil is, the salary and other rewards for the service of College officers do not depend at all, or in any adequate extent, upon the extent of the services rendered. The salary is fixed and limited. Whether the officer is energetic and enterprising, or otherwise, whether he gives good satisfaction to his pupils, and draws many to his instructions or not; whether he does all he can to elevate and sustain the character of the Institution, or leaves the whole weight and responsibility of its reputation upon others; in short, whether the Institution flourishes or declines, his income is the same and his pay is sure.

If an officer should exert himself beyond his associates, or has health and mental energies which enable him to tower above the rest, he has not only no adequate compensation for his services, but he often has the mortification of seeing others in comparative idleness living upon the credit of his labours; under such circumstances it can scarcely be expected that any great enthusiasm would be excited to keep up the credit of a College, or advance the interests of Education in the inferior Seminaries of Learning. If men are actuated by the love of Science or are impelled by pure benevolence, neither nor both of these influences can induce them to make extra exertions for the world when the merits of those exertions are consumed by their incompetent or unenterprising associates.

It is probably owing to some or all of these causes, both in England and America, that there is less enterprise in the Colleges than out of them. While the Universities of France, of Germany, and Scotland, have been contributing largely to the literary and scientific wealth of the day, what has been done for a half century in the Universities of England or America?

They have in some cases abridged, compiled, and translated, but what have they added to the original stock?—Their citizens have enterprise, but, with a few honourable exceptions, they shew it everywhere else more than in their Colleges and Universities. This is not the result of accident, there must be causes; and these causes should be removed. If what we have just been noticing be the causes, the remedy is plain. Human minds need excitements to action, and daily this is evident, not only from experience, but also from the course pursued by the all-wise Governor of the Universe, in the economy of nature, of Providence, and of grace. He has made it for the interest of man to obey his laws, and to perform painful and labourious duties. Now the perfection of philosophy is to carry out into all the departments of human life, the economy of God. In all human enterprises therefore, we should shew our wisdom by doing as God does—make it for the interest of those employed to be vigorous and faithful—let their gifts make way for them, so that they shall receive a remuneration to themselves, and produce advantageous influences upon the community, commensurate with their talents and exertions. To be more specific in reference to the case before us: let the common schools be conducted by those who require and employ them—Let our higher Seminaries be equally free—Let our faculties have a voice in the choice of men to fill vacancies in their board—Let suitable provision be made to remove inefficient men from office;—Stated and thorough examinations of the classes should be had under the direction of an impartial Examining Committee; and the proficiency of the students should be noted in direct reference to the competency of their instructors as well as to determine the standing of students. A College corporation ought to have a committee to examine into the standing of their officers of instruction, as regularly as one to audit the account of their Treasurer—And to do this it is not necessary to examine these officers, their official character will be written on the mind of their pupils, and may be known and read of all men. It has been well said, that he “who cannot put his mark upon a student is not fit to have one.” Examine this mark, and by its dimensions and character you will judge of the hand that made it. Let it therefore be well understood as a condition of office that when a Teacher's pupils are deficient he must give place to another.

That each instructor may have the credit and avails of his own labour, let his permanent salary be fixed at a bare competency for his own support, and let all beyond depend upon the general prosperity of the Institution, and especially upon the extent and success of his own labours.

These general principles, if judiciously applied in the first organization of all our Provincial Literary Institutions, would be a great improvement.

Was it not that my report is swelling in size much beyond what I intended it should have been, I should have made some remarks upon the course of study to be pursued in the various classes of Common Schools, from the Infant Schools to the first class of those Schools as well as to our High Schools, District Schools (if continued) Grammar Schools, Colleges and University, comprehending the character and order of the studies, the text books and modes of instruction. But this would lead me into detail that would not be interesting, and I fear prevent the reading of what I deem important, and especially as I have already remarked upon the most important of those points, in my view of the character of the knowledge to be imparted to youth.

The government, classification, and graduation of students.

The government of a well regulated literary seminary is not a monarchy, an aristocracy, or a republic, but it is patriarchal. The nearer it approaches to this character, the more perfect it is.

Like a household, a Literary Institution should have but one head, and that head should have ability to govern, or he is unfit for his office. In this government, it is true, he ought to be assisted by the subordinate officers, but the government itself should be a unit, and receive its direction and influence from a common head.

The government of a Seminary of Learning, like a household, admits of no interference from abroad. A code of statute laws from a Board of Trustees, for the officers to execute among the students, will never be respected. Such a course, had not custom sanctioned it, would be deemed an insult to the immediate government and an outrage upon its authority. The student should feel that he is offending against his father and friend, and against the peace and prosperity of the community in which he has a common interest. Like a family, the intercourse between a student and the President and Professors should be of an affectionate and familiar character. Faculty meetings before whom the young transgressor is arraigned with all the sternness of a public prosecution on the one hand, and with all the cunning duplicity of a studied defence on the other, should be avoided.

I cannot feel justified to close my remarks on the subject of government without giving my decided testimony in favor of a moral and religious influence to aid in the government of youth. This is of paramount importance. With such an influence government is easy; without it, good government is impossible.

On the subject of classification there has, of late, been much said, and much to the purpose; but there are still different opinions. The question in dispute is simply this: Ought scholars to be classed by the year as they now are in most colleges; or ought they to be classed according to their advancement in their respective studies, without reference to time? The arguments in favour of the latter method, in my opinion, abundantly preponderate. Indeed I know of no plausible argument in favour of the prevailing course except it be the lessening of the labour of instruction. And this method was originally adopted, doubtless, not for the good of the pupil, but for the ease of his instructor. But what reason is there why College Teachers should not labour as much as others? In High Schools and Academies, as also in Primary Schools, Teachers labour six and seven hours in the day, but in Colleges not half that time, even in term time, and yet the officers have vacation one quarter of the year! Is there any good reasons for this? Let him that enters upon the care and education of youth make up his mind for responsibility and labour, and then he will be prepared to adopt a system of classification which, while it only doubles the duties of the teacher, will increase the advantages of the student tenfold.

Yes, I believe in many instances it will add to the student's advantages tenfold. He will not be obliged to hasten over his studies without knowing them, in order to keep up with his class, neither will he be retarded in his progress to accommodate the dull or the feeble. If he loses any time by sickness or necessary absence, or if for want of quickness of apprehension in any particular branch he falls in the rear of his class, he will not, as is the case in most Colleges either lose a year for the want of a few weeks or months, or what is more common, and still worse for the student, be dragged on to a disadvantage, and carried through in name, without in fact knowing the Science. In the proposed method of classification, the arbitrary and pernicious distinctions of superior and inferior grades will also be done away; and this will have a favourable bearing in more respects than one; it will open the way for the honourable introduction of a very promising portion of youths into the College classes, who wish the advantages of the College for a course more or less extended in the Sciences and Modern Literature, to the exclusion of the classics, and who, though most of the American Colleges have of late opened their classes for their reception, have not entered them, undoubtedly because they would have to do it under circumstances of inferiority, which American youth cannot readily submit to, and this will always be the case, probably so long as the present mode of classification is kept up. But this point will be more fully elucidated in the next topic of discussion, which is—the graduation of students.

Academic degrees are signs, true or false, of certain literary and scientific attainments. But according to general usage, the first of these degrees requires a four years course in College, and, nominally at least, a knowledge of the Greek and Latin languages, and ancient literature; and the course to this degree is sub-divided into the yearly classification already alluded to. The second degree also depends upon time, without even an inquiry into the candidate's literary advancement; so that when the first degree is conferred, the second might be added at once, with the proviso that it should not take effect under three years; and all the purposes of the degree would be answered. These leading features of College and University Constitutions were adopted at Cambridge and Oxford in England at an early period in the revival of learning, and from them the patterns have been furnished for American Institutions. It would be difficult, I think, to give a satisfactory reason at any period for this annual classification, and for making a given period of years an essential qualification for a literary degree; but there certainly was a reason, as we have shown, for making the Greek and Latin an essential part of a College course, and the same reason would require that literary degrees should be conferred on such only as understood these languages. But those reasons have passed away, and the whole system is now evidently defective. The evils are twofold: first, these degrees are often conferred on the undeserving; and secondly, they are often withheld from those who deserve them.

It is important that the world should know what to depend upon when a man presents a diploma from a Literary Institution. But it is a notorious fact that as these are now distributed they afford no satisfactory evidence that those who hold them are learned men. And is this treating the cause of Literature with respect, or the world at large with common honesty? The patrons of Learning have in this way lowered themselves and their institutions down to a reproachable level. They respect not their own literary standards and honours, and therefore the world at large will not respect them. These honours have been exposed in the market, and have been struck off, not, indeed, to the highest bidder, but to almost anyone who would reside within the College walls and pay the College bills for a given number of years. It is true if the student would get through without much study, he must be skilled in one art—that of deception and lying. One day he must be sick—another time he must mistake his lesson—then again he must oversleep himself by mistake, and the next time get a friend to write his exercise for him; and occasionally, especially when the author is treating upon a part of science easy to be understood, he must appear in recitation room and make a great display in the exhibition of what he knows. If he does not understand these arts when he enters, he soon gets this part of his education, and readily qualifies himself for a degree in all the College arts of deception and falsehood. The fact is, the youth wants the honour of a degree, and is too lazy, or perhaps too dull to obtain the requisite qualifications in the given time; or his father or guardian has determined that his son or ward shall have the honours of a graduate, in either case the object of the boy will be to get on and get through without being denied his diploma. And unfortunately this is not difficult. Time having been fixed upon as one of the principal criteria of his advancement, this at length has come to be almost the only requisite, including, perhaps, what a youth would naturally acquire by being in a literary atmosphere, and mingling with books and students. If he is a little deficient the first year, it is a pity to put him back a whole year, and therefore he is allowed to go on; and so he drags himself on, falling in the rear a little more every year, to the last; and now, although he could not, perhaps, on a fair examination, turn round and re-enter a fresh man, still, as he has gone through his years, and paid his bills, the least that can be done is to give him his degree and let him go, hence scores of uneducated graduates go forth yearly from Literary Institutions, with their diplomas signed and sealed, and their names splendidly enrolled as admitted *ad primum gradum in artibus*, in due and ancient form.

By this I do not mean that none get a good education in Colleges. The greater portion perhaps, are well educated. I only mean that many are graduated, and have the testimonials of education, who have not the character.

On the other hand, the present principle of conferring degrees excludes from these testimonials all who have not, professedly at least, become acquainted with the Ancient Classics; whereas if these honours are of any value, they ought to be given to the proficient in Modern Literature and in the Sciences, as well as to the classical scholar. I do not mean to say the same degrees should be given to both classes. If the present degrees are sanctioned and consecrated for particular attainments, I have no desire to see them changed, provided they are not prostituted to confer a deceptive honour on heads "that do not know and will not learn." But I insist that public and official testimonials ought to be given to the mere English scholar. In short, let the diploma of a College tell the truth and nothing but the truth, respecting the Literary and Scientific attainments of the graduates, so far as this can be ascertained by a thorough and critical examination, and let it be denied to none who deserve it.

The leading principles here proposed are such as appear to me to be the choice of those practical men who, from long experience and careful and critical observation, have recommended,

so far as I could comprehend their views ; it is true some may be startled at what may seem to them hazardous innovations of old systems, but it should be understood that these principles, though unpractised among us, are not new ; most of them have been adopted and successfully practised upon by some of the most flourishing institutions in Europe ; and some of them have recently been incorporated into several Collegiate Institutions in the United States, and are strenuously advocated by many of the most enlightened men in the world.

But was there ever a more auspicious period than the present for Literary reform ? If I rightly understand the signs of the times, we stand upon the threshold of a new dispensation in the Science of Education, and especially in the history of Common Schools, Colleges, and Universities in this Province. The flattering prospects of our being permitted legally to dispose of the School Lands of this Province, so long dormant—the sale and appropriation of the Clergy Reserves for the purposes of Education, and above all by our having control of the other natural resources of the Province, we shall be enabled to provide respectably and permanently for the support of Literary Institutions in every part of the Province ; while by remodelling the Charter of King's College so as to adapt the Institution to the present state of the Science of Education and wishes and wants of the people of this Province, and by all our own Literary Institutions being so constructed as to serve as nurseries from which the youth may be transplanted to an Institution where they may grow to maturity and spread out with the increasing improvements of the age, while at the same time they collect into a luminous focus every additional ray that emanates from the sun of Science to renovate the Tree of Knowledge.

With such charming prospects before us, with what alacrity and delight can we approach the subject of Education to make liberal permanent, and efficient provision for the education of all of the youth of Upper Canada to cause “the blind to see, the deaf to hear, and the dumb to speak,” and above all to make certain and extensive provision for the support of Schools for Teachers and Tutors, and while upon the subject of “Normal Schools” I cannot too earnestly recommend the careful and attentive reading of the extracts made from the report of Victor M. Cousin upon that subject, and appended to this Report. Nor can I for the life of me comprehend why similar Schools for the education of female Teachers may not prove equally advantageous to the cause of Education and to the happiness and ornament of society. And next, to provide competent female Teachers. One of the first objects that need to be attempted in regard to female Education, is to secure some method of rendering Female Institutions permanent in their existence and efficient in perpetuating a regular and systematic course of Education. This is secured for the other sex by institutions so endowed that the death or removal of an individual does not hazard their existence or character. They continue year after year, and sometimes for ages, maintaining the same system of laws, government, and course of study. But in regard to Female Institutions, everything is ephemeral, because in most cases everything depends upon the character and enterprise of a single individual. A School may beat the height of prosperity one week, and the next week entirely extinct. Communities seem almost entirely dependent upon chance, both for the character and perpetuity of female Schools. If good Teachers stray into their bounds, they are fortunate ; if poor ones, they have no remedy. Thus the character, the conduct, and the continuance of those who are so extensively to mould the character of the future wives and mothers of this Province are almost entirely removed from the control of those most deeply interested.

One method which may tend to remedy the evil is the investment of property in buildings, furniture and apparatus devoted to this object under the care of a suitable corporate body. It thus becomes the business of certain responsible men that the property thus invested shall secure the object for which it has been bestowed. But this method alone will not avail, for though the probabilities are greater that endowed institutions will be well sustained, it is often found that they do fail in securing a systematic and perpetuated plan of Education. There needs to be added a well devised plan of government and course of study, together with that division of labour existing in Colleges which secures several able instructors to the same institution, and in such a way that the removal of any one teacher does not interrupt the regular system of the Institution.

That this can be accomplished in regard to Female Institutions as well as those for the other sex, is no longer problematical, for it has already been done ; and what has been done can be done again. One Female Institution, at least, can be referred to in which a regular system of government and instruction has been carried on for a course of years, until an adequate number of Teachers and pupils has been fitted to perpetuate the system, so that as one teacher after another was called away, others were prepared to take their places ; and thus the whole number of Teachers, from the Principal to the lowest monitor, has been repeatedly changed, and yet the same system and course of study have been preserved, while there is as fair a prospect of future perpetuity as is afforded by most Colleges.

Another object to be aimed at in regard to Female Education is a remedy for the desultory, irregular, and very superficial course of education now so common in all parts of our Province,

and, I may add, in the neighbouring country. When young men are sent to obtain a good education, there is some standard of judging of their attainments, there are some data for determining what has been accomplished. But in regard to females, they are sent first to one school and then to another; they attend a short time to one set of studies and then to another; while everything is desultory, unsystematic, and superficial. Their course of study is varied to suit the notions of parents, or the whims of children, or the convenience of Teachers; and if a young lady secures a regular and thorough course of education, it is owing either to the uncommonly good sense and efforts of parents, or to the rare occurrence of finding Teachers sufficiently stationary and persevering to effect it.

The remedy for this evil (in addition to what is suggested in previous remarks) is to be sought in co-operating efforts among the leading Female Schools in the Province, to establish a uniform course of Education adapted to the character and circumstances of females, to correspond with what is done in Colleges for young gentlemen. The propriety of giving titles of honour to distinguish females who complete such a course may and will be questioned. It certainly is in very bad taste, and would provoke needless ridicule and painful notoriety, except to those who propose becoming Teachers. But if the leading Female Institutions in this Province, commencing with those in this city, were to combine to establish a regular course of study which should be appropriate and complete, it would prove an honour and advantage to young ladies to have it known that their education was thus secured; and it would also prove an advantage to the Schools, as they would thus gain the reputation of sending out uniformly well educated pupils—other Schools would gradually adopt the same plan, and thus the evils alluded to will, to a great extent be remedied. These measures would have the same effect on Female Education as Medical and Theological Schools have upon those professions—they tend to elevate and purify, although they cannot succeed in banishing all stupidity and empiricism.

Another object to be aimed at in regard to Female Education is, to introduce into Schools such a course of intellectual and moral discipline and such attention to mental and personal habits as shall have a decided influence in fitting a woman for her peculiar duties. What is the most important and peculiar duty of the female sex? It is the physical, intellectual, and moral education of children. It is the care of the health and the formation of the character of the future citizen.

Woman, whatever are her relations in life, is necessarily the guardian of the nursery, the companion of childhood, and the constant model of imitation. It is her hand that first stamps impressions on the immortal spirit that must remain for ever,—and what demands such discretion—such energy—such patience—such tenderness, love and wisdom—such perspicuity to discern—such versality to modify—such efficiency to execute—such firmness to persevere, as the government and education of all the various that characters and tempers they meet in the nursery and school room. Woman also is the presiding genius who must regulate all those thousand minutiae of domestic business that demand habits of industry, order, neatness, punctuality, and constant care. And it is for such varied duties that woman is to be trained. For this her warm sympathies, her lively imaginations, her ready invention, her quick perceptions, all need to be cherished and improved; while at the same time those more foreign habits of patient attention, calm judgment, steady efficiency, and habitual self-control, must be induced and sustained.

Is a weak, undisciplined, unregulated mind fitted to encounter the responsibility, weariness, and watching of the nursery—to bear the incessant care and perplexity of governing young children—to accommodate with kindness and patience to the peculiarities and frailties of a husband—to control the indolence, waywardness and neglect of servants, and to regulate all the variety of domestic cares? The superficial accomplishments of former periods were of little avail to fit a woman for such arduous duties, and for this reason it is that as society has advanced in all other improvements the course of Female Education has been gradually changing, and some portion of that mental discipline once exclusively reserved for the other sex, is beginning to exert its invigorating influence on the female character both in England and America. At the same time the taste of the age is altered; and instead of the fainting, weeping, vapid, pretty plaything, once the model of female loveliness, those qualities of the head and heart that best qualify a woman for her duties, are demanded and admired.

None will deny the importance of having females properly fitted for their peculiar duties; and yet few are aware how much influence a Teacher may exert in accomplishing this object. School is generally considered as a place where children are sent, not to form their habits, opinions and character, but simply to learn from books, and yet whatever may be the opinion of Teachers and parents, children do to a very great extent form their character under influences bearing upon them at School. They are proverbially creatures of imitation and accessible to powerful influences. Six hours every day are spent with Teachers whom they usually love and respect, and whose sentiments and opinions in one way or other they constantly discover.

They are at the same time associated with companions of all varieties of temper, character and habit. Is it possible that this can exist without involving constant and powerful influences either good or bad? The simple fact that a Teacher succeeds in making a child habitually accurate and thorough in all the lessons of School, may induce mental habits that will have a controlling influence through life. If the government of Schools be so administered as to induce habits of cheerfulness and implicit obedience; if punctuality, neatness, and order in all School employments are preserved for a course of years it must have some influence in forming useful habits. On the contrary, if a child is tolerated in disobedience and neglect, if School duties are performed in a careless, irregular and deficient manner, pernicious habits may be formed that will operate disastrously through life. It is true that mismanagement and indulgence at home may counteract all the good influences of School, and the faithful charge of parental duty may counteract, to some extent, the bad influences of School; but this does not lessen the force of these considerations.

Nor is the course of study and mental discipline of inferior consequence: the mere committing to memory of the facts contained in books, is but a small portion of Education. Certain portions of time should be devoted to fitting a woman for her practical duties, such, for example, as needle work. Other pursuits are designed for the cultivation of certain mental faculties, such as attention, perseverance and accuracy. This for example, is the influence of the study of mathematics, while the conversation and efforts of a Teacher directed to this end, may induce habits of investigation and correct reasoning, not to be secured by any other method. Other pursuits are designed to cultivate the taste and imagination, such as rhetoric, poetry, and other branches of polite literature. Some studies are fitted to form correct moral principles and strengthen religious obligations, such as mental and moral philosophy, the study of the evidences of Christianity, the study of the Bible and of collateral subjects. Other studies are designed to store the mind with useful knowledge, such for example as geography, history, and the natural sciences. The proper selection and due proportion of these various pursuits will have a decided influence in forming the mental habits and general character of the pupils.

Another important object in regard to Female Education is the provision of suitable facilities for instruction, such as are deemed indispensable for the other sex, particularly apparatus and libraries.

The branches now included in a course of Education for females of the higher circles have increased in the United States till nearly as much is attempted as, were it properly taught, is demanded of young men at College, little has been done to secure a corresponding change in regard to the necessary facilities to aid in female instruction.

To teach young men properly in chemistry, natural philosophy, and other branches of science, it is deemed necessary to furnish a Teacher for each separate branch who must be prepared by a long previous course of study, who shall devote his exclusive attention to it, and who shall be furnished with apparatus at the expense of thousands of pounds, and to aid both Teachers and pupils extensive libraries must be provided at the public expense.

But when the same branches are to be taught to females, one Teacher is considered enough to teach a dozen such sciences, and that too without any apparatus, without any qualifying process, and without any library.

If females are to have the same branches included in their education as the other sex, ought there not to be a corresponding change to provide the means for having them properly taught: or are the female sex to be complimented with the intimation that a single Teacher, without preparatory education, without apparatus, and without libraries, can teach young ladies what it requires half a dozen Teachers, fitted by a long course of study, and furnished with every facility of books and apparatus to teach young gentlemen. It is true such extensive public endowments are not needed for females as for the other sex, because their progress in many of the sciences never needs to be so extensive; but if these branches are to constitute a part of female education, is not something of this kind demanded from public munificence, that all be not left to the private purse of the Teacher, who must furnish it from slender earnings, or remain unsupplied?

But the most important deficiency, and one which is equally felt by both sexes, is the want of a system of moral and religious education at School which shall have a decided influence in forming the character, and regulating the principles and conduct of future life.

When it is asserted that it is of more consequence that women be educated to be virtuous, useful, and pious, than that they become learned and accomplished, everyone assents to the truth of the position. When it is said that it is the most important and most difficult duty of parents and teachers to form the moral character, the principles, and habits of children, no one will dissent. All allow it to be a labour demanding great watchfulness, great wisdom, and constant perseverance and care. For what comfort would parents find in the assurance that their

children are intelligent, learned, and accomplished, if all is to be perverted by indolence, vice, and irreligion? and what is the benefit to society, in increasing the power of intellect and learning, if they only add to the evils of contaminating example and ruinous vice?—The necessity of virtuous intelligence in the mass of the community is peculiarly felt in a form of government like ours—a beautiful appendage to the most perfect mixed monarchy, where the people are not held in restraint by physical force, as in despotic governments, but where, if they do not voluntarily submit to the restraints of virtue and religion, they must inevitably run loose to wild misrule, anarchy, and crime. For a nation to be virtuous and religious, the females of that nation must be deeply imbued with these principles; for just as the wives and mothers sink or rise in the scale of virtue, intelligence, and piety the husbands and sons will rise or fall. These positions scarce any intelligent person will deny, so that it may be set down as one of the current truisms of society that the formation of the moral and religious principles and habits is the most important part of Education, even in reference to this life alone. To this is added the profession of all who reverence Christianity, that the interests of an immortal state of being are equally suspended on the same results.

But while this is the verbal opinion of society, what is the practical opinion, as exhibited in systems of education, particularly in Schools.

We find in all communities a body of persons set apart for the express purpose of communicating knowledge and cultivating the intellect of childhood and youth; at the same time we find both parents and Teachers uniting in the feeling that this is all that is required, and that it is not expected that they should attempt anything more. As the care of the intellect is the business given to Teachers, we find that some success always attends these efforts. However dull the child, or incompetent the Teacher, at the end of each year it will be found that every child has learned something, and that the memory at least if no other faculty, is to some extent cultivated. Parents and School visitors find that the money employed is not spent entirely in vain, but that it does to some extent secure the object for which it was expended. But if parents or School Committees should visit Schools with such inquiries as these:—"How many pupils have improved in the government of their temper the past year?"—"How many are more docile and obedient?"—"How many are more strict in regard to veracity, honour, and honesty?"—"How many have improved in a spirit of magnanimity, self-command, and forgiveness of injuries?"—"How many have learned to govern their tongues by the law of charity, so as not to speak evil of others or to propagate scandal?"—"How many are more regardful of the duties owed to parents and mankind, and obliging to companions?"—"How many are more mindful of their highest obligation to God?"—and "How many, under the influence of fear and love to him, are practising more and more the self-denying duties of benevolence to all?"

Would not such questions, in most of our Schools, awaken surprise, and be deemed irrelevant and almost impertinent, even if addressed to those whose express business it is to educate children?

Why is there this strange discrepancy between the avowed opinions and the practice of society?

Not because the moral and religious education of children is a matter with which Teachers cannot profitably employ themselves. None will deny that Teachers possessing the requisite character and experience, employed with the express understanding that they are held responsible for the moral as well as the intellectual education of their pupils, and allowed sufficient time and opportunity for such duties, could exert a constant and powerful influence over young and plastic minds, placed for six hours each day under their entire control, and what peculiar advantages teachers enjoy, who, unbiassed by the partialities of parental fondness, can observe their charge when thrown into collision with all the various characters that meet in the school-room and play-ground, where often are developed peculiarities of character and temper that escape parental notice and care.

Nor does this strange inconsistency exist because Teachers cannot give instruction in all the relative moral and religious duties, nor because they cannot become intimately acquainted with the peculiar temperament, habits, and deficiencies of every child, and point out its dangers and set before it the appropriate motives to excite to virtuous effort.

Nor is it because experience shews that it does no good to convince children of their faults, and to invite them to improvement. Nor is it because Teachers cannot with propriety and success bring to bear upon the minds of children, the powerful motives of religious obligation; teaching them the claims of the Bible, the evidences of its authority, the proper mode of gaining a correct and independent knowledge of its contents while they daily appeal to it as the standard of moral rectitude, and employ its solemn sanctions to sustain its precepts.

Nor is it because parents all of them are so pre-eminently well qualified to understand and regulate the varieties of youthful character; a labour demanding such experience, wisdom, energy,

perseverance, and self-denial; nor because they have such entire leisure to discharge these duties, nor because they are so entirely free from all liabilities to indolence, excessive indulgence, and blind insensibility to the faults of their children, nor because they always so wisely and so faithfully fulfill all these duties, that they have no need of such co-operating influences, from those whose business it is to aid in the education of children.

Nor, lastly, is it because there is any such essential difference in the religious opinions of the great Christian community that religious and moral instruction cannot be introduced into Public Schools without encroaching on the peculiarities of those who support them.

Those great principles of religious truth and moral duty in which all agree, are the only ones which are needed in the moral education of children at School.

All agree that the Bible is the true standard of right and wrong, and the only rule of faith and practice. All agree that the evidences of its divine authority should be understood, and that its contents should be studied.

All agree that the Bible teaches that mankind are in danger of eternal ruin; that all have become sinful, that a way of pardon and salvation has been secured through the atoning sacrifice of the Redeemer; that whenever love to God, and the desire to do His will, is the regulating principle of the mind, men are prepared for Heaven; and that without this character no happiness is to be hoped for in the future state; that no man will ever attain this character without supernatural aid from the Spirit of God, and that such influences are to be sought by prayer and the use of the appropriate means of religious influence; that as the Bible is the standard of rectitude in all moral and relative duties, children are to be educated to understand its precepts and urged by all the motives it presents to obey them.

There is not one of the largest Christian Denominations that would refuse assent to any one of these positions, and these principles are all that need to be employed in forming the moral and religious character of children at School. The point in which these sects differ relate either to forms of Church Government, or to the rights of the Church, or to the philosophy of religion, and these peculiarities never need be introduced into School, but can be taught by parents and religious Teachers elsewhere.

But if any religious sect attach such importance to their own peculiarities as to fear the influence of religious instruction exerted by those who differ from them on these points, they could institute Schools taught by persons of their own sect; and though they might involve some dangers and some evils, yet there would be the counterbalancing good which is often found to be the result of sectarianism, more would be accomplished in a good cause than would have been had no such jealousy existed.

One thing is certain, if religious influences are banished from our provincial system of Education, every denomination will be injured in its most vital interests. For one who would be proselyted by a sectarian Teacher, ten would be ruined by the vice and irreligion consequent on the subject of moral and religious influences.

Our Schools must have these influences; but whether it shall be by the united or by the separate action of religious sects is a matter of secondary consequence.

The reasons for the neglect of moral and religious Education at Schools are, in the first place, the fact that intellectual superiority has too high a relative estimation in society. Men do award to genius and knowledge an estimation not rendered to amiable character, true virtue, and sincere piety.

Another reason is that mankind are not aware how much might be effected by Teachers, in the most important part of Education, were they properly trained for these duties and allowed sufficient time and opportunity for the discharge of them.

Another reason is, that, to a very wide extent, teachers are not qualified for such duties,—do not know how to undertake them, and do not understand or feel their obligation on this subject.

And the last reason is, that such are the present system of Education, so many pupils are given to the care of one person, and so great a variety of branches are to be taught by a single individual, that in most cases it is utterly impossible for Teachers to attempt properly to discharge their most important duty, without so neglecting what parents consider the only business of a Teacher as to occasion dissatisfaction and the removal either of Teacher or pupils.

Until public sentiment is so changed that Teachers shall be educated for their profession and parents are willing to pay the price for such a division of labour as will give time and opportunity for the discharge of their most sacred duties, it is desirable that conscientious Teachers should realize how much is left undone in moral Education that might be accomplished.

In regard to Education the world is now making experiments such as were never before made. Man is demanding disenthralment alike from physical force and intellectual slavery:

and by a slow and secret process one nation after another is advancing in a sure though silent progress. Man is bursting the chains of slavery, and the bonds of intellectual subserviency; and is learning to think, and reason, and act for himself, and the great crisis is hastening on when it shall be decided whether disenthralled intellect and liberty shall voluntarily submit to the laws of virtue and of Heaven, or run wild to insubordination, anarchy and crime. The great questions pending before the world are simply these: "Are liberty and intelligence, without the restraints of a moral and religious Education, a blessing or a curse?"—"Without moral and religious restraints, is it best for man to receive the gift of liberty and intelligence, or to remain coerced by physical force and the restraints of opinions and customs not his own?"

The master-spirits of the age are watching the developments as they rise, and make their records for the instruction of mankind.

And what results are already gained?—In England the experiment has been made by Lord Brougham, and at great expense, knowledge has gone forth with increasing liberty, and all who have witnessed the results are coming to the conviction, that increase of knowledge, without moral and religious influence, is only increase of vice and discontent? And what are the results of the experiment in France?—The statistics of Education show that the best Educated departments are the most vicious, and the most ignorant are the freest from vice,—and in that country, where the national representatives once declared that Christianity should be banished, and the Bible burnt, and the Sabbath annihilated, we now find its most distinguished statesmen and citizens uniting in the public declaration, that moral and religious Education must be the foundation of national instruction. Victor Cousin, one of the most distinguished philosophers of the age, and appointed by the King of France to examine the various systems of Education in Europe has reported as the result of his investigations, that Education is a blessing just in proportion as it is founded on moral and religious principles.

Look, again, at Prussia! with its liberal and patriotic monarch, with a system of Education unequalled in the records of time, requiring by law that all the children in the nation be sent to School from the first day they are seven years of age till the last day they are fourteen, with a regular course of literary and scientific instruction, instituted for every School, and every Teacher required to spend three years in preparing for such duties, while on an average one Teacher is furnished for every ten pupils through the Province. The effects of merely intellectual culture soon convinced the monarch and his counsellors that moral and religious instruction must be the basis of all their efforts; and now the Bible is placed in every School, and every Teacher is required to spend from one to two hours each day in giving and enforcing instruction in all the duties of man toward his Creator, towards constituted authorities, and towards his fellow men.

The object aimed at is one immense and difficult enough to demand the highest exercise of every energy and every mode of influence. If Prussia, with her dense population, finds one Teacher for every ten children needful, the spareness of population in our wide territories surely demands an equal supply. At this rate thirty thousand teachers are this moment wanted to supply the destitute; and to these must be added every year four thousand simply to meet the increase of population. But if we allow thirty pupils as the average number for every Teacher then we need ten thousand Teachers for present wants and an annual addition of one thousand for increase of population. And yet what has been done—what is now doing—to meet this enormous demand? While Prussia, for years, has been pouring out her well educated Teachers from her forty-five seminaries at the rate of one for every ten pupils; while France is organizing her Normal Schools in all her departments for the Education of her Teachers, and while every portion of the United States is alive to the subject of Education—what is done in Upper Canada? What patriot—what philanthropist—what Christian, does not see that all that is sacred and dear, in home and country, and liberty, and religion, call upon him to awaken every energy and put forth every effort.

Does the heart fail and the courage sink at the magnitude of the work, and the apparent destitution of means? We have the means, we have the power. There is wealth enough. Nothing is wanting but a knowledge of our wants, our duty and our means, and a willing mind in exerting our energies. Our difficulties have been briefly noticed. It is the object of this Report to point out one important measure in the system of means that must be employed.

When we consider the claims of the learned professions, the excitement and profits of commerce, manufactures, agriculture, and the arts; when we consider the aversion of most men to the sedentary, confining, and toilsome duties of teaching and governing young children; when we consider the scanty pittance that is allowed to the majority of Teachers; and that few men will enter a business that will not support a family, when there are multitudes of other employment that will afford competence and lead to wealth; it is chimerical to hope that the supply of such immense deficiencies in our national Education is to come chiefly from that sex.—It is women fitted by disposition and habits, and circumstances, for such duties, who, to a very wide extent,

must aid in educating the childhood and youth of this Province, and therefore it is that females must be trained and educated for this employment.—And most happily it is true that the Education necessary to fit a woman to be a Teacher is exactly the one that best fits her for that domestic relation she is primarily designed to fill.

But how is this vast undertaking to be accomplished? How can such a multitude of female Teachers as are needed be secured and fitted for such duties? The following will show how it can be done, if those most interested and obligated shall only will to have it done.

Men of patriotism and benevolence can commence by endowing two or three seminaries for female Teachers, in the most important stations in the Province, while to each of these seminaries shall be attached a Model School supported by the children of the place where it is located. In these seminaries can be collected those who have the highest estimate of the value of moral and religious influence, and the most talents and experience for both intellectual and moral Education.

When these Teachers shall have succeeded in training classes of Teachers on the best system their united wisdom can devise, there will be instructors prepared for other seminaries for Teachers, to be organized and conducted on the same plan; and thus a regular and systematic course of Education can be disseminated through the Province.

Meantime proper efforts being made by means of the press, the pupil and influential men employed as agents for this object, the interest of the whole Province can be aroused, and every benevolent and every pious female in the Province, who has the time and qualifications necessary, can be enlisted to consecrate at least a certain number of years to this object. There is not a village in this Province that cannot furnish its one, two, three, and in some cases more labourers for the field.

And as a system of right, moral and religious Education gains its appropriate influence, as women are more and more educated to understand and value the importance of their influence in society and their peculiar duties, more young females will pursue their Education with the expectation that, unless paramount private duties forbid, they are to employ their time and talents in the duties of a Teacher, until they assume the responsibilities of a domestic life. Females will cease to feel that they are educated just to enjoy themselves in future life and realize the obligations imposed by Heaven, to live to do good, and, when females are educated as they ought to be, every woman at the close of her School Education will be well qualified to act as a Teacher.

The establishments of Institutions for the Education of Female Teachers would also most successfully remedy all the difficulties in regard to female Education which have been exhibited.—When female Teachers are well trained for their profession, a great portion of the higher Female Schools will be entrusted to their care, and they will be prepared to co-operate in propagating a uniform and thorough system of female Education, both intellectual and moral. When such teachers are scattered through the land, they will aid in enlightening the public mind in regard to permanently endowed Institutions for females. By this means also essential aid will be rendered in advancing improvements in regard to Physical Education, in introducing useful exercises, in promoting a national taste for music, and in various other modern improvements.

It is perhaps here worthy of remark that from the reports of the temperance societies, both in Europe and America, seven-tenths of all the common drunkards in the world are men who cannot read and write so well as to render these occupations agreeable and amusing to them. The mind of man, ever on the stretch for some active employment or amusement, when uneducated and unable to associate with men of letters, and incapable of reading, and the interest excited by books, by degrees relaxes and becomes almost unconsciously led into intemperance and vice:—as a proof, the fact that not more than 5½ per cent. of the individuals confined in Houses of Correction, Houses of Refuge, Bridewells, City and State Prisons, and Penitentiaries, have a common Education. I shall be able to illustrate this fact in my report upon Penitentiaries, which I am preparing as fast as possible, with the little assistance I have. I will, however, here copy one extract from the report of the agent of the Sing Sing State Prison, of last year. The agent says that in the Sing Sing State Prison, containing 842 prisoners, there, in August last, only fifty had received any thing like an education. The following is his statement:

“There are at present 842 prisoners;—of these 170 can neither read nor write—34 have never been at School—85 can read but cannot write—510 can read and write, but most of them very imperfectly—42 had a common education—8 went through College; but of the whole number 485 had been habitual drunkards, about one-third of whom committed their crimes when actually intoxicated.”

The Warden of the Eastern Penitentiary in Pennsylvania says, that in 1834, 219 prisoners in the whole had been received—of these 42 could not read nor write—59 could read but not write—118 could read and write, but 98 of them but very indifferently; leaving only twenty

who had received any thing like a common education. If Legislators are justified in the enactment of laws for the punishment of crime, how much more ought they to be vigilant and active in adopting such measures as will be best calculated to suppress and prevent it; the door is now open, the means are now within their reach, the School funds of the Province are about to be made available for the purposes of Education, and our future greatness depends much upon the first application that is made of these means:—then let the Honourable the House of Assembly reflect maturely upon the propriety of establishing at once one Seminary for Teachers in the east—one in the centre, and one in the west part of this Province—devoted principally to the education and qualification of Teachers; and endow not less than one female Seminary for the education of female Teachers, and allow a portion of the School funds, as soon as they are available, for the purposes of Education, to be set apart expressly for the support, qualification and education of male and female Teachers; one School of this sort will soon be required in every district of this Province, and would, I verily believe, contribute more to the advancement of Science and Literature than the expenditure of much larger sums in the support of Common Schools or higher Institutions of Learning, and while I do not recommend the sinecure pension compulsory system of Prussia for adoption in this Province, as is seen by the Bill accompanying this Report, but rely upon the exertions of Teachers to secure to themselves continuance in their employment, and by the prudent saving the avails of their earnings, when they become by age or infirmities disqualified from teaching a School, they may have the comforts of life secured to them by their former economy and industry; and I am the more explicit upon this point, as I believe that frugality and economy in a money-making country like ours, are virtues that ought to be taught the youth of the land, by the examples of their preceptors as well as their precepts; besides moral instruction is but badly taught by the profligate and intemperate; and I am much inclined to believe that “as is the master so is the child”—then pay your Teachers—provide for their qualification—and be careful in their examinations and the examinations of their Schools.

And perhaps the recent rapidly increased prosperity of the United States, and of the northern, eastern and middle States in particular, may be attributed more to the extensive and general diffusion of Education through the medium of their Common Schools and other Literary Institutions, and the almost entire suppression of the use of distilled spirits among them than to any other causes. The millions of dollars worth of distilled spirits consumed in 1830 over and above the quantity consumed in 1835, shews how much has been saved in that item from the fire that not only burned up itself, but consumed with it time, character and constitution, and with other expenses amounted altogether to a sum equal to all the revenues collected in the United States during the same period; but in my Report upon prisons and prison discipline, which I am preparing, I shall give such authority for these opinions as will be hardly questionable.

In submitting the accompanying Bill, I have adopted such parts of the system referred to as are the most popular with those countries where the subject has undergone the most recent and thorough investigation—and while I claim no merit for anything original in the system of Education thus attempted to be introduced, or for anything new in the Bill by which this improvement is designed to be accomplished, I cannot refrain from remarking that it combines simplicity with precision—clearness with perspicuity—and is adapted in style and language to the capacities of those persons most interested in it, and is so clearly explained that the most ordinary mind can, if required, carry any of its provisions into complete effect. It is designed to be a system of Common School Education, founded upon the wisdom and experience of the past as developed in the reports of the most literary men of the age, both in Europe and America. Lord Brougham's elaborate reports shows how cheaply and perfectly a large community may be educated, where the work is undertaken in right earnest, and where a proper system is pursued. Mr. Dick, who has brought the system of Education in Scotland to far greater perfection than any who had preceded him, illustrates the necessity of interesting parents and guardians in the education of their children, and modes to accomplish the object. Mr. Cousin, in his valuable report upon the Prussian system of Education, proves that in absolute monarchies parents must be compelled to educate their children, or they neglect it; and it is contended that the State that has power to punish crimes, has, and of right ought to have, power to prevent it; by educating the children of the empire in science, morality and virtue. In the United States various means have been adopted to educate the whole people so that mind shall rule, and in fact the energies of the civilized world seem directed to the same great and grand object, the moral and religious education of the whole people as the most effectual method of preventing crime and misery.

By this Bill the inhabitants of every Township may provide a portion of the funds necessary for the support of Common Schools, by a voluntary tax upon their ratable property, and as an inducement to them to raise the funds required, one half of the Public School money of each year is to be apportioned among such Townships as raise a sum for the support of Common Schools not exceeding one penny in the pound. It also provides that each School District shall regulate its own affairs, build a School House, a house for the Teacher with such comforts as they may think proper; establish Mechanics' Shops, or gardening for Manual Labour Schools,

by which the industrious may learn Science, a Trade, and make wages at the same time. It also provides for the education of Teachers by establishing four Normal Schools there for the education of males and one for the education of females,—this has succeeded well in Prussia; why should it not succeed equally well in Canada? The nature and operations of the mind are the same in all countries, and the relations which exist between knowledge and the intellectual and the moral faculties remain unchanged under every system of Education and every form of Government, and the practice of obtaining literary and scholastic information, by observation made under the direction of Government, by special Commissioners for that purpose, to visit, consult, examine and report the result of those investigations, are not new, but the precedent has been established by the authority of some of the most enlightened countries, both in Europe and America. But these exertions to correct by observation and comparison the defects and discrepancies of various institutions and systems of Education, whether made by order of the Government or by private philanthropy and enterprise, have been isolated, local and partial, and although their reports contain many important and interesting facts upon the several subjects thus investigated, they rather serve to show the defects in other Institutions than lay down any general system of Education not equally objectionable, and I must again repeat the reason why we legislate so badly for the people upon this subject is, there is no instruction in the past.

If a general literary convention, composed of the men best qualified for the important subject by their learning, ability and independence of political, sectarian and traditional prejudice, were to meet upon the subject of a general system of Education founded upon nature, and adapted to the various capacities of the different sexes of all classes of community, and at all ages, such a system of Education might be framed by such a convention after careful investigation and mature reflection, I am satisfied, as would be eminently useful to mankind, teaching by observation and constant practical demonstration on the part of the pupils themselves facilitate the acquirement of knowledge by giving the pupil clear and distinct ideas upon all subjects attempted to be taught him, by presenting everything he is to learn to as many of his senses as he can approach the subject with, thereby lessening the necessity of increasing the number of arbitrary names that must be learned before any familiar association is connected with them, which would serve the cause of literature, humanity and philanthropy most materially.

I am quite satisfied that without regulations far more extensive than has yet been introduced, a control far more enlightened and constant than has yet been exercised, and fiscal aid far more ample than has yet been afforded, it is vain to expect that the character of our Common Schools can be truly and permanently improved.

In the United States, so far as I have witnessed and am capable of judging, their Common School systems are as defective as our own. They have, according to their public documents, about eighty thousand Common School Teachers, but very few of whom have made any preparation for their duties; the most of them accidentally assume their office as a temporary employment.

Thus the lame and the lazy, because they will work cheap, are entrusted with the formation of the minds of our youth, who will, to a certain extent, copy their Masters, and although their bodies may not limp, their minds will be both sluggish and deformed. Hence the necessity of having Teachers correct gentlemanly persons well prepared for their arduous responsible office, and fit models for the youth of the country to imitate. Schools for the education of Teachers should be immediately established and supported out of a fund permanently appropriated for that purpose.

Competent Common School Teacher Inspectors should be appointed to prevent the disqualified from entering into the responsible profession of teaching.

The laxity or ignorance of many of our Inspectors are the causes of the low and almost useless condition of many of our Common Schools. They have acted upon the principle that a poor School is better than none. Universal correct Education is the only true security of life and property.

In proportion to the aggrandizement of the Province will be the complication of the various branches of public instruction and the importance of the direction which the whole may receive from the hand of Government—while the details are left to the local powers, School Districts or Townships. Yet from what I have already witnessed of the rapid progress of Education in some of the States of the Union, especially Kentucky, where the spirit of improvement, as well as the thirst for Education, has but just commenced, I am satisfied that there, at least, a new era is forming in Science and Literature; for while reform is rapidly progressing in arts and sciences as well as constitutional Governments, the Education of our youth cannot go on the same circuitous route; but a system of educating, furnishing and liberally paying a sufficient number of competent Teachers commensurate with the wants of the people must be adopted and publicly and zealously supported; the situation of "Common School Teacher" must be rendered respectable and reputed to be an honourable employment that gentlemanly competent persons may seek it as a business for life; which may be done by a critical examination of the

Teachers and a frequent examination of of the Schools by public exhibitions of their improvements, and by publishing reports awarding "merit to whom merit is due."

The Inductive system, founded upon nature and supported by facts, is superseding the former arbitrary copying system learned from books alone or principally:—by this system children are taught facts from observation and the examination of natural substances, which are presented to as many of the student's senses as are accessible, and number, colour, sound, size, touch, form and ponderosity, become familiar to them as properties of matter, by daily reference to the materials subjected to their examination, and as facts become strongly impressed upon the mind, the number of ideas is increased; they are soon enabled to comprehend the characters of those bodies as they are explained by their instructor, during experiments made by themselves for their analysis or decomposition; at the same time that the language peculiar to that science is learned without much exertion, the fact the idea already existing in the mind the name, or word was needed and thus the language of the science is taught without exertion, and natural science is taught by observation, not by the recollection of arbitrary names and almost incomprehensible descriptions of ideas obtained only by long and constant application from books, but by the easy and perfect natural channels of the senses, the names connected with a science (in common so difficult to retain) become a part of the ideas equally natural and associated in a plain, common sense manner with the ordinary operations of the mind, or the common occurrences of life. What an interesting epoch is this in the history of letters and of Science generally! What an era in scholastic erudition, and what ample security for the future will be afforded the people through all such parts of the world in which useful science shall be generally taught—that governments shall be well administered, and popular rights respected and protected. If this reform in Science should prevail and be universally adopted, the time will have arrived when ignorance "(Satan) shall be bound for a thousand years."

The Rev. Mr. Peers, of Louisville, Kentucky, is teaching his pupils the art of self government and self instruction; he does not govern at all by fear—his objection to fear as a governing principle is that it debases and lessens the dignity of man;—but he governs his pupils by cultivating and strengthening the ennobling and elevating faculties and feelings of our natures, strengthening the social virtues, and increasing intellectual enjoyment. How pleasing is the view of his twenty boys, in whose countenances are seen strong marks of manly reflection and thought, with a strong wish to be correct in all their answers to his questions, and desire to please, without one symptom of fear upon that or any other occasion; they are between the ages of six and twelve years, and although they have been under his charge but a few months, he has rendered moral instruction so familiar to their understanding that they enter into the examination of the few passages of Scripture daily read and commented upon with interest and good feeling. His first year of instruction is a year of observation and experiment by which to store the minds of his pupils with facts and ideas that may serve as a basis for the superstructure of the most useful kind, not a parrot-like noisy or showy imitation of some eminent literary man, but the knowledge of mind, of thought and of reflection, tracing effects, to causes and providing to avoid (or support the unavoidable) evil, and embrace and enjoy the blessings of this life as they are presented to us; they are already familiar with the first principles of chemistry and mineralogy, and performed without instruction several beautiful experiments, and explained the phenomena as they occurred in a manner not only satisfactory but pleasing—know something of botany, geology and natural history, were (small as they are) entrusted with the management of the very valuable glass furniture of his beautiful and well selected laboratory, his electrifying machine (which cost \$150); his air pump was of nearly equal value. Though much cheaper furniture might have explained the facts as well as those that are so expensive, yet these, from their dazzling splendor, make a strong impression on the mind; everything being perfect in their construction no failure can defeat any experiment, and the mind has nothing to supply to make up a complete operation, and when another less perfect instrument shall be used by the students and defects are found, their clear recollection of this and its operation will enable them to supply the defects.

By the "Inductive System," the students collect facts and accumulate ideas from observations, and having a mass of facts, a fund of ideas perfectly familiar and at command, they are prepared for study of such Arts and Sciences as require the exercise of the reasoning faculties, their laudable ambition is gratified by the certainty of success, and of the rewards most valued by the good and virtuous.

Lord Brougham says—"The schoolmaster is abroad in the land"—"Mind begins to assume her place, and ignorance, with her handmaid, vice, must recede before her like darkness before the morning sun, or clouds before the wind. Blow, blow, breezes blow; rise, rise resplendent orb, with thy universal vivifying and darkness dispelling beams—and hasten the great and the good reform when mind shall rule."

All of which is most respectfully submitted.

TORONTO, 24th of February, 1836.

CHARLES DUNCOMBE,
Commissioner.

MR. CHARLES DUNCOMBE'S PROPOSED COMMON SCHOOL BILL OF 1836.

WHEREAS, the promotion of the education of the youth of this Province is Preamble.
indispensable to the domestic and social happiness, to the commercial prosperity
and national greatness, and to the peace, welfare and good government of
the same; and whereas the Common School system of this Province has not pro-
duced the benefits so much desired by the thinking portion of its inhabitants; and
wherefore it is expedient to alter, amend and reduce to one Act the several pro-
visions of the same.

Be it, etc., That from and after the first day of January, 1837, there shall
be granted to His Majesty annually out of the rates and duties now raised, levied
and collected, or hereafter to be raised, levied and collected, to and for the public
uses of this Province, and in the hands of the Receiver-General unappropriated,
for the use of Common Schools in this Province, the sum of fifteen thousand pounds.

Be it, etc., That whenever the permanently available Public School fund Superinten-
of this Province, arising from any source whatever, shall amount to ten thousand dent, when
pounds per annum, it shall and may be lawful for the Governor, etc., to appoint and how to be
under the seal of this Province, a Superintendent of Common Schools, whose duty appointed.
it shall be, among other things, to prepare and submit an annual Report to the
Legislature, containing:

1. A statement of the condition of the Common Schools of the Province. His duties.
2. Estimates and accounts of expenditure of the School moneys.
3. Plans for the improvement and management of the Common School Fund,
and for the better organization of the Common Schools;—and
4. All such matters relating to his office, and to the Common Schools, as he
shall deem expedient to communicate.

And be it, etc., That in every year, immediately following a year in which a Apportion-
census of the population of this Province shall have been taken, the Superintendent ment and
shall apportion the School moneys to be annually distributed amongst the several ratio of appor-
districts of this Province, and the share of each District amongst its respective tionment.
Towns and Cities, in the following manner: the one moiety thereof shall be appor-
tioned among the several Towns and Cities of the Province, according to the ratio
of the number of children over five and under sixteen years of age, as compared
with the population of the whole Province according to the last preceding census,
and the other moiety among the several Townships in proportion to the amount of
School moneys raised in the several Townships in this Province, except as is herein-
after provided.

And be it, etc., That if an increase of the School moneys to be distributed, Increase of
shall take place in any other year than the one immediately following a census, the School
Superintendent shall apportion such increase among the several Districts, Cities and moneys, how
towns, according to the ratio of the apportionment then in force. apportion-
ed.

And be it, etc., That when the census or returns, upon which an apportion- Proceedings
ment is to be made, shall be so far defective, in respect to any District, City or Town, when census
as to render it impracticable for the Superintendent to ascertain the share of defective.
School moneys which ought then to be apportioned to such District, City or Town,
he shall ascertain by the best evidence in his power, the facts upon which the ratio
of such apportionment shall depend, and shall make the apportionment accordingly.

And be it, etc., That whenever, in consequence of the division of a Town or Proceedings
the erection of a new Town in any District, the apportionment then in force shall when Town
become unjust, as between two or more Towns of such District, the Superintendent altered, etc.
shall make a new apportionment of the School moneys next to be distributed
amongst such Towns, ascertaining by the best evidence in his power, the facts upon
which the ratio of apportionment as to such Towns shall depend.

And be it, etc., That the Superintendent shall certify each apportionment Certificate
made by him to the Governor, and shall give immediate notice thereof to the Clerk and notice of
of the Peace of each District interested therein, stating the amount of moneys appor- apportion-
tioned to his District and to each Town and City therein, and the time when the ment.
same will be payable to the Commissioners of such Town, or to the Chamberlain of
the City of Toronto.

Regulations respecting forms, etc.

And be it, etc., That the Superintendent shall prepare suitable forms and regulations for making all reports and conducting all necessary proceedings under this Act, and shall cause the same, with such instructions as he shall deem necessary and proper, for the better organization and government of Common Schools, to be transmitted to the officers required to execute the provisions of this Act throughout the Province.

Expenses, how paid.

And be it, etc., That all moneys reasonably expended by him in the execution of his duties shall, upon due proof, be allowed to him by the Governor, and be paid out of the Treasury.

Distribution of the Common School fund. When paid.

And be it, etc., That the sum annually to be distributed for the encouragement of Common Schools, shall be paid on the first day of February, in every year, on the Warrant of the Governor to the Treasurers of the several Districts, and the Chamberlain of the City of Toronto.

Treasurer to apply for and receive.

And be it, etc., That the Treasurer of each District, and the Chamberlain of the City of Toronto, shall apply for and receive the School moneys apportioned to their respective Districts as soon as the same become payable.

To give notice.

And be it, etc., That each Treasurer receiving such moneys shall give notice in writing, to some one or more of the Commissioners of Common Schools of each Town or City in his District, of the amount apportioned to such Town or City, and shall hold the same subject to the order of such Commissioners.

Moneys remaining, how disposed of.

And be it, etc., That in case the Commissioners of any such City or Town shall not apply for and receive any such moneys, or in case there are no Commissioners appointed in the same, before the next receipt of moneys apportioned to the District; the moneys so remaining with the Treasurer shall be retained by him, and be added to the moneys next received by him for distribution from the Superintendent of Common Schools, and be distributed therewith and in the same proportion.

Clerk of the Peace.

And be it, etc., That whenever the Clerk of the Peace of any District, shall receive from the Superintendent of Common Schools, notice of the apportionment of moneys to be distributed in the District, he shall file the same in his office, and transmit a certified copy thereof to the District Treasurer, and also to the Clerk of each Township, to be by him laid before the School Commissioners of such Township; which sum so apportioned, together with the sum raised in that Township by the vote of its qualified voters at their last preceding annual Township meeting, shall be apportioned by the said Township Commissioners among the several School Districts of the Township as follows: one moiety to be apportioned to each District, in proportion to its number of children between the ages of five and sixteen, exclusive; and the other moiety, to be divided among the School Districts in the Township, in proportion to the amount of money actually paid by each District towards the Teacher's wages in such District.

His duty on receiving notice of apportionment.

Duty of Commissioners.

And be it, etc., That the Commissioners shall cause and require the Collector of each Town, by their warrant to him, to pay the moneys so added when collected, retaining his fees for collection, to some one or more of the Commissioners of Common Schools in such Town for the use of Common Schools therein, whose receipt therefor shall be sufficient evidence of payment.

When moneys to be paid to Treasurer.

And be it, etc., That if there shall not be any Commissioners of Common Schools, in such Town when the moneys are collected, the Collector shall pay the same, retaining his fees for collection, to the District Treasurer, to be by him apportioned among the several Cities and Towns in the District, and distributed in the manner herein provided.

Superintendent's duties, pro. tem. to be exercised under the superintendence of the Governor.

And be it, etc., That until a Superintendent of Common Schools shall have been appointed in this Province, it shall be the duty of the Governor, etc., to cause the duties of that office to be executed under his superintendence, and all the duties of the other officers of the several Districts, Cities or Towns in this Province, shall be transacted and done between them and the Governor of this Province, in the same manner as they are by this Act required to be done by them and to the Superintendent of Common Schools in this Province.

Town Clerk to give amount of School moneys to Clerk of the Peace, who apportion, etc.

And be it, etc., That it shall be the duty of the Town Clerk of every Township, with as little delay as possible after the annual Township meeting, to make out and transmit to the Clerk of the Peace for his District, the amount of money to be raised in his Township for the support of Common Schools, who shall apportion the same, upon the rateable property of such Township, in the same manner as the other moneys to be raised and collected in that Township, shall be apportioned to be collected.

And be it, etc., That at the Township meeting, convened under the authority of an Act passed in the 5th year of the reign of His Majesty William the Fourth, entitled an "Act to reduce to one Act of Parliament the several laws relative to the appointment and duties of Township officers in this Province, except an Act passed in the fourth year of the reign of William the Fourth, chapter twelve, entitled 'An Act to regulate line fences and water courses,' and to repeal so much of an Act passed in the thirty-third year of the reign of His late Majesty, King George the Third, entitled 'An Act to provide for the nomination and appointment of Parish and Town officers within this Province,' as relates to the office of fence viewers being discharged by overseers of highways and roads, there shall be elected in the same manner as other Township officers, three persons in each Township to be School Commissioners of such Township, and three persons who shall be School Inspectors for the same."

Commissioners and Inspectors.

To be elected at the annual town meeting, three Commissioners and three inspectors.

And be it, etc., That the Commissioners of the several Townships so chosen, as aforesaid, shall be annually required to give bonds to the Treasurer of the District, in double the amount of the sums liable to pass through their hands, during the period of their continuance in office.

Commissioners to give bonds in double the amount, etc.

And be it, etc., That it shall be the duty of the Commissioners of Common Schools, in each Township :

Powers and duties of Commissioners.

1. To divide their Township into a convenient number of School Districts, and to regulate and alter such Districts as hereinafter provided.

To divide the Townships into Districts,

2. To describe and number the School Districts and to deliver the description and numbers thereof in writing to the Town Clerk, immediately after the formation or alteration thereof.

to describe and number the School Districts,

3. To apply for and receive from the District Treasurer all moneys apportioned for the use of Common Schools in their Township, and from the Collector of the Township all moneys raised therein for the same purpose as soon as such moneys shall become payable or be collected.

to apply for and receive all School moneys from the District Treasurer and Township Collector,

4. To apportion the School moneys received by them on the first Tuesday in April in each year among the several School Districts, parts of Districts, and the neighbourhoods separately set off within their Townships as follows : one moiety in proportion to the number of children residing in each over the age of five and under that of sixteen years, as the same shall have appeared from the last annual reports of their respective Trustees ; and the other moiety in proportion to the amount actually paid for Teachers' wages during the year, as compared with the whole amount paid in such Township for Teachers' wages during the same period.

to apportion the moneys so received, according to the ratio of children over 5 and under 16,

5. If the Commissioners shall have received the School moneys of their Township and all the reports from the School Districts therein before the first Tuesday of April, they shall apportion such moneys as above directed within ten days after receiving all of the said reports and the said moneys.

moneys to be apportioned within ten days after receipt,

6. To sue for and collect by their name of office all penalties and forfeitures imposed in this Act, and in respect to which no other provision is made, which shall be incurred by any officer or inhabitant of their Township ; and after deducting their costs and expenses, to add the sums recovered to the School moneys received by them to be apportioned and paid in the same manner.

to sue for and collect fines and forfeitures ex-officio.

And be it, etc., That whenever it may be necessary or convenient to form a District out of two or more adjoining Townships the Commissioners from each of such adjoining Townships, or the major part of them, may form, regulate and alter such District.

Double Districts.

And be it, etc., That no alteration of any School District, made without the consent of the Trustees thereof, shall take effect until three months after notice in writing shall be given by the Commissioners, to some one or more of such Trustees.

Consent of Trustees.

And be it, etc., That in making the apportionment of moneys among the several School Districts, no share shall be allotted to any District, part of a District or separate neighbourhood, from which no sufficient annual report shall have been received, for the year ending on the last day of December, immediately preceding the apportionment ; excepting all cases where a School District shall have been formed at such a time previous to the first day of January, as not to have allowed a reasonable time to have kept a School therein for the term of three months ; such District having been formed out of a District or Districts, in which a School House shall have been kept for three months, by a Teacher duly qualified, during the year preceding the first day of January.

When moneys to be withheld.

Exception.

Exception. *And be it, etc.,* That no moneys shall be apportioned and paid to any District, or part of a District, unless it shall appear by such report that a School had been kept therein for at least three months, during the year ending at the date of such report, by a qualified Teacher, and that all moneys received from the Commissioners during that year, have been applied to the payment of the compensation of such Teacher ; or, as excepted in the last clause of the preceding section of this Act.

As the preceding. *And be it, etc.,* That no part of such moneys shall be apportioned or paid to any separate neighbourhood, unless it shall appear from the report of its Trustee, that all moneys received by him from the Commissioners, during the year ending at the date of such report, have been faithfully applied in paying for the instruction of the children residing in such neighbourhood.

Case for new apportionment. *And be it, etc.,* That if after the annual reports from the Districts shall have been received, and before the apportionment of the School moneys shall have been made by the Commissioners, a District shall be duly altered, or a new District be formed in the Township, so as to render an apportionment founded solely on the annual reports, unjust, as between two or more Districts of the Township, the Commissioners shall make an apportionment among such Districts, according to the number of children in each over the age of five and under sixteen years ; ascertaining that number by the best evidence in their power, and in proportion to the amount of School moneys raised in the said Township as aforesaid.

Moneys in Commissioners' hands one year to be added to and apportioned with next year's receipts. *And be it, etc.,* That all moneys apportioned by the Commissioners to the Trustees of a District, part of a District, or separate neighbourhood, which shall have remained in the hands of the Commissioners for one year after such apportionment, by reason of the Trustees neglecting or refusing to receive the same, shall be added to the moneys next thereafter to be apportioned by the Commissioners, and shall be apportioned and paid therewith and in the same manner.

Moneys not apportioned for two years, returned to District Treasurer for subsequent apportionment. *And be it, etc.,* That in case any School moneys received by the Commissioners cannot be apportioned by them for the term of two years after the same are received, by reason of the non-compliance of all the School Districts in their Township with the provisions of this Act, such moneys shall be returned by them to the District Treasurer, to be by him apportioned and distributed, together and in the same manner with the moneys next thereafter to be received by him for the use of Common Schools.

Commissioners to report annually : *And be it, etc.,* That it shall be the duty of the Commissioners in each Township, between the first day of July and the first day of October in each year, to make and transmit to the District Clerk of the Peace a report in writing, bearing date on the first day of July, in the year of its transmission, and stating :

1. The whole number of School Districts and neighbourhoods, separately set off within their township.
2. The Districts, part of Districts and neighbourhoods, from which reports shall have been made to the Commissioners, or their immediate predecessors in office, within the time limited for that purpose.
3. The length of time a School shall have been kept in each of such Districts or parts of Districts, distinguishing what portion of that time the School shall have been kept by qualified Teachers.
4. The amount of public moneys received in each of such Districts and parts of Districts and neighbourhoods.
5. The number of children taught in each and the number of children over the age of five and under sixteen years, residing in each.
6. The whole amount of moneys received by the Commissioners or their predecessors in office, during the year ending at the date of their report and since the date of their last preceding report ; distinguishing the amount received from the District Treasurer, from the Township Collector, and from any other, and what source.
7. The manner in which such moneys shall have been expended, and whether any, and what part, remains unexpended, and for what cause.

Clerk of the Peace to report Commissioners' neglect to Township Clerk. *And be it, etc.,* That in case the Commissioners in any Township shall not, on or before the first day of October in any year, make such report to the Clerk of the Peace for the District, it shall be his duty to give immediate notice of such neglect to the Clerk of such Township.

And be it, etc., That the Commissioners neglecting to make such report within the limited period shall forfeit severally to their Township for the use of the Common Schools therein, the sum of two pounds ten shillings ; and the share of School

moneys apportioned to such Township for the ensuing year may, in the discretion of the Superintendent of Common Schools, be withheld and be distributed among the other Townships in the same District, from which the necessary reports shall have been received.

And be it, etc., That where the share of School moneys apportioned to a Township shall thus be lost to the Township by the neglect of its Commissioners, the Commissioners guilty of such neglect shall forfeit to their Township the full amount, amount, with interest, of the moneys so lost; and for the payment of such forfeiture they shall be jointly and severally liable.

And be it, etc., That it shall be the duty of the Clerk of the Township, upon notice of such loss from the Superintendent of Common Schools, Clerk of the Peace, or District Treasurer, to prosecute without delay, in the name of the Township, for such forfeiture, and the moneys recovered shall be distributed and paid by such Township Clerk to the several Districts, parts of Districts, or separate neighbourhoods, of the township, in the same manner as it would have been the duty of the Commissioners to have distributed and paid them, if received from the District Treasurer.

And be it, etc., That the Commissioners in each Township shall keep a just and true account of all School moneys received and expended by them, during the year for which they shall have been chosen, and shall lay the same before the Board of Auditors of their accounts at the annual meeting of such Board in the same year.

And be it, etc., That the Commissioners of Common Schools in each Township, shall, within fifteen days after the termination of their respective offices, render to their successors in office, a just and true account, in writing, of all School moneys by them respectively received, before the time of rendering such account, and of the manner in which the same shall have been appropriated and expended by them; and the account so rendered, shall be delivered by such successors in office, to the Township Clerk, to be filed and recorded in his office.

And be it, etc., That if on rendering such account any balance shall be found remaining in the hands of the Commissioners, or any of them, the same shall be immediately paid by him or them, to his or their successors in office, or some one of them.

And be it, etc., That if such balance or any part thereof shall have been appropriated by the Commissioners to any particular School District, part of a District, or separate neighbourhood, and shall remain in their hands for the use thereof, a statement of such appropriation shall be made in the account so to be rendered, and the balance paid to such successors in office shall be paid over by them accordingly.

And be it, etc., That every Commissioner of Common Schools, who shall refuse or neglect to render such account as is above required, or who shall refuse or neglect to pay over to his successor in office, any balance so found in his hands, or to deliver a statement of the appropriation, if any there be, of such balance, shall for each offence forfeit the sum of twenty-five pounds.

And be it, etc., That it shall be the duty of such successors in office, to prosecute without delay, in their name of office for the recovery of such forfeiture, and to distribute and pay the moneys recovered, in the same manner as other School moneys received by them.

And be it, etc., That such successors in office may bring a suit in their name of office, for the recovery with interest of any unpaid balance of School moneys that shall appear to have been in the hands of any previous Commissioner on leaving his office, either by the accounts rendered by such Commissioner or by other sufficient proof.

And be it, etc., That in case of the death of such Commissioner, such suit may be brought against his representatives, and all moneys recovered shall be applied in the same manner as if they had been paid over without suit.

And be it, etc., That the Commissioners of Common Schools in each Township shall have the powers and privileges of a corporation, so far as to enable them to take and hold any property transferred to them for the use of Common Schools in such Township.

Clerk of Commissioners, his duties. *And be it, etc., That the Clerk of the Township, by right of office, shall be the Clerk of the Commissioners of Common Schools in each Township, and it shall be his duty :*

1. To receive and keep all reports made to the Commissioners, from the Trustees of School Districts, and all the books and papers belonging to the Commissioners, and to file them in his office.

2. To attend all meetings of the Commissioners, and to prepare under their direction, all their reports, estimates, and apportionments of School money, and to record the same and their other proceedings, in a book to be kept for that purpose.

3. To receive all communications as may be directed to him by the Superintendent of Common Schools, and to dispose of the same in the manner directed therein.

4. To transmit to the Clerk of the Peace for the District all such reports as may be made to such Clerk by the Commissioners.

5. To call together the Commissioners, upon receiving notice from the Clerk of the Peace that they have not made their annual report, for the purpose of making such report.

And generally to do and execute all such things as belong to his office, and may be required of him by the Commissioners.

Of the Inspectors of Common Schools, Who together with the other Inspectors elected in their Township, shall be the Inspectors of Common Schools for their Township.

Their duty as Teachers. *And be it, etc., That it shall be the duty of the Inspectors of Common Schools in each Township, or any three of them, at a meeting of the Inspectors called for that purpose, to examine all persons offering themselves as candidates for teaching Common Schools in such Township.*

Ib. *And be it, etc., That in making such examination it shall be the duty of the Inspectors to ascertain the qualifications of the candidate in respect to moral character, learning, and ability.*

Ib. *And be it, etc., That if the Inspectors shall be satisfied in respect to the qualifications of the candidate, they shall deliver to the person so examined a certificate signed by them, in such form as shall be prescribed by the Superintendent of Common Schools.*

Ib. *And be it, etc., That the Inspectors, or any three of them, may annul any such certificate given by them or their predecessors in office, when they shall think proper, giving at least ten days' previous notice in writing, to the Teacher holding it, and to the Trustees of the District in which he may be employed, of their intention to annul the same.*

Ib. *And be it, etc., That the Inspectors, whenever they shall deem it necessary, may require a re-examination of all or any of the Teachers in their Township, for the purpose of ascertaining their qualifications to continue as such Teachers.*

Ib. *And be it, etc., That the annulling of a certificate shall not disqualify the Teacher to whom it was given, until a note in writing thereof, containing the name of the Teacher, and the time when his certificate was annulled, shall be made by the Inspectors and filed in the office of the Clerk of their Township.*

Ib. *And be it, etc., That where any School District shall be composed of a part of two or more Townships, or any School House shall stand on the division line of two Townships, the Inspectors of either Township may examine into and certify the qualifications of any Teacher offering to teach in such District in the same manner as is provided by the preceding sections of this article ; and may also in the same manner annul the certificate of such Teacher.*

Ib. *And be it, etc., That it shall be the duty of the Inspectors to visit all such Common Schools within their Township, as shall be organized according to law, at least once a year, and oftener if they shall deem it necessary.*

Ib. *And be it, etc., That at such visitation the Inspector shall examine into the state and condition of such Schools, both as respects the progress of the scholars in learning and the good order of the Schools, and may give their advice and direction to the Trustees and Teachers of such Schools, as to the government thereof, and the course of studies to be pursued therein.*

Ib. *And be it, etc., That each of the Inspectors, by agreement with or direction of the other Inspectors, may be assigned to a certain number of School Districts, which it shall be his special duty to visit and inspect.*

And be it, etc., That whenever any School District shall be formed in any Township, by the Commissioners of Common Schools, it shall be the duty of some one or more of the Commissioners, within twenty days thereafter, to prepare a notice in writing describing such District, and appointing a time and place for the first District meeting, and to deliver such notice to a taxable inhabitant of the District.

And be it, etc., That it shall be the duty of such inhabitant to notify every other inhabitant of the District, qualified to vote at District meetings, by reading the notice in the hearing of such inhabitant, or in the case of his absence from home, by leaving a copy thereof, or of so much thereof as relates to the time and place of such meeting at the place of his abode, at least six days before the time of the meeting.

And be it, etc., That in case such notice shall not be given, or the inhabitants of a District shall refuse or neglect to assemble or form a District meeting, when so notified, or in case any such District, having been formed and organized in pursuance of such notice, shall afterwards be dissolved so that no competent authority shall exist therein to call a special District meeting, in the manner hereinafter provided, such notice shall be renewed by the Commissioners, and served in the manner above prescribed.

And be it, etc., That every taxable inhabitant to whom notice of a District meeting shall have been properly delivered for service, who shall refuse or neglect to serve the notice in the manner above in this article enjoined, shall for every such offence forfeit the sum of one pound five shillings.

And be it, etc., That whenever any District meeting shall be called in the manner prescribed in the preceding sections of this article, it shall be the duty of the inhabitants of the District, qualified to vote at District meetings, to assemble together at the time and place mentioned in the notice.

And be it, etc., That no person shall vote at any School District meeting, unless he shall be a freeholder in the Township where he votes, or shall have been assessed the same year in which he votes, or the preceding year, to pay taxes therein, or shall possess personal property to the amount of twelve pounds ten shillings, liable to taxation in the District; and every person not so qualified, who shall vote at any such meeting, shall for each offence forfeit the sum of two pounds ten shillings.

And be it, etc., That the inhabitants so entitled to vote when so assembled in such District meeting, or when lawfully assembled at any other District meeting, shall have power, by a majority of the votes of those present—

- 1st. To appoint a moderator for the time being.
- 2nd. To adjourn from time to time, as occasion may require.
- 3rd. To choose a District Clerk, three Trustees, and one District Collector, at their first meeting, and as often as such offices or either of them become vacated.
- 4th. To designate a site for a District School House.
- 5th. To lay such tax on the taxable inhabitants of the District, as the meeting shall deem sufficient to purchase, or lease a suitable site for a School House, and to keep in repair and furnish the same with necessary fuel and appendages.
- 6th. To repeal, alter, and modify their proceedings from time to time, as occasion may require.

And be it, etc., That in each School District an annual meeting shall be held at the time and place previously appointed; at the first District meeting and at each annual meeting, the time and place of holding the next annual meeting shall be fixed.

And be it, etc., That a special meeting shall be held in each District, whenever called by the Trustees; and the proceedings of no District meeting, annual or special, shall be held illegal, for want of a due notice to all the persons qualified to vote thereat, unless it shall appear that the omission to give such notice was wilful and fraudulent.

And be it, etc., That no tax to be voted by a district meeting for building, hiring, or purchasing a School House shall exceed the sum of one hundred pounds, unless the Commissioners of Common Schools of the Township in which the School House is to be situated shall certify in writing their opinion that a larger sum ought to be raised, and shall specify the sum; in which case a sum not exceeding the sum so specified shall be raised.

- Joint meeting of Commissioners.** *And be it, etc., That if the Commissioners of Common Schools in any Township shall require in writing the attendance of the Commissioners of any other Township or Townships, at a joint meeting, for the purpose of altering a School District, formed from their respective Townships and a major part of the Commissioners notified shall refuse or neglect to attend, the Commissioners attending, by a majority of votes may call a special District meeting of such District for the purpose of deciding on such proposed alteration ; and the decision of such meeting shall be as valid as if made by the Commissioners of all the Townships interested, but shall extend no further than to dissolve the District formed from such Townships.*
- Altering District School House, disposed of.** *And be it, etc., That when a new District shall be formed from one or more Districts, possessed of a School House and in cases where any District from which such new District shall be in whole or in part formed, shall be entitled to other property than its School House, then the Commissioners of Common Schools, at the time of forming such new District shall ascertain and determine the amount justly due to such new District, from any District out of which it may have been in whole or in part formed, as the proportion of such new District, of the value of the School House and other property belonging to the former District at the time of such division.*
- Proportion, how ascertained.** *And be it, etc., That such proportion shall be ascertained, according to the taxable property of the inhabitants of the respective parts of such former District, at the time of the division, by the best evidence in the power of the Commissioners ; and deduction shall be made therein for any debts due from the former District.*
- How levied and applied.** *And be it, etc., That such proportion when ascertained shall be levied, raised, and collected, with the fees for collection, by the Trustees of the District retaining the School House or other property of the former District, upon the taxable inhabitants of their District, in the same manner as if the same had been authorized by a vote of their District for the building of a School House ; and when collected shall be paid to the Trustees of the new District, to be applied by them towards procuring a School House for their District ; and the moneys so paid to the new District shall be allowed to the credit of the inhabitants who are taken from the former District, in reduction of any tax that may be imposed for erecting a School House.*
- District officers, Tenure.** *And be it, etc., That the Clerk, Trustees, and Collector of each School District shall hold their respective offices until the annual meeting of such District next following the time of their appointment, and until others shall be elected in their places.*
- Vacancies, how filled.** *And be it, etc., That in case any such office shall be vacated by the death, refusal to serve, removal out of the District, or incapacity of any such officer, and the vacancy shall not be supplied by a District meeting within one month thereafter, the Commissioners of Common Schools of the Town may appoint any person residing in such District to supply such vacancy.*
- Forfeiture.** *And be it, etc., That every person duly chosen or appointed to any such office, who without sufficient cause shall refuse to serve therein, shall forfeit the sum of one pound five shillings ; and every person so chosen or appointed, and not having refused to accept, who shall neglect to perform the duties of his office shall forfeit the sum of two pounds ten shillings.*
- Resignations.** *And be it, etc., That any person chosen or appointed to any such office may resign the same in this manner : any three Commissioners of the Court of Requests of a District may, for sufficient cause shown to them accept the resignation of any Township officer of their Township, or of any officer of a School District, and the acceptance of such resignation shall be a bar to the recovery of either the penalties mentioned in the preceding section. The Commissioners of the Court of Requests accepting the resignation shall give notice thereof to the Clerk or to one of the Trustees of the School District to which the officer resigning shall belong.*
- Duty of District Clerk.** *And be it, etc., That it shall the duty of the Clerk of each School District :*
1. To record the proceedings of his District in a book to be provided for that purpose by the District, and to enter therein true copies of all reports made by the Trustees of his District to the Commissioners of Common Schools.
 2. To give notice of the time and place for special District meetings, when the same shall be called by the Trustees of the District, to each inhabitant of such District liable to pay taxes, at least five days before such meeting shall be held, in the manner prescribed by this Act.

3. To affix a notice in writing of the time and place for any adjourned District Adjourned meeting, when the same shall be adjourned for a longer time than one month, in meetings, at least four of the most public places of such District, at least five days before the time appointed for such adjourned meeting.

4. To give the like notice of every annual District meeting.

Notice of annual meetings.

5. To keep and preserve all records, books, and papers belonging to his office, and to deliver the same to his successor in office, in the manner and subject to the penalties provided by law, in relation to the Clerk of the Township.

And be it, etc., That it shall be the duty of the Trustees of every School District and they shall have power :

Duty of Trustees.

1. To call special meetings of the inhabitants of such Districts liable to pay taxes, whenever they shall deem it necessary and proper.

2. To give notice of special, annual, and adjourned meetings, in the manner prescribed in the last preceding section, if there be no Clerk of the District, or he be absent or incapable of acting.

3. To make out a tax list of every District tax, voted by any such meeting, containing the names of all the taxable inhabitants residing in the District at the time of making out the list, and the amount of tax payable by each inhabitant set opposite to his name.

4. To annex to such tax list a warrant directed to the Collector of the District for the collection of the sums in such list mentioned, with five per cent. thereof for his fees.

5. To purchase or lease a site for the District School House, as designated by a meeting of the District, and to build, hire, or purchase, keep in repair and furnish such School House, with necessary fuel and appendages, out of the funds collected and paid to them for such purposes.

6. To have the custody and safe keeping of the District School House.

7. To contract with and employ all Teachers in the District.

8. To pay the wages of such Teachers when qualified out of the moneys which shall come into their hands from the Commissioners of Common Schools, so far as such moneys shall be sufficient for that purpose ; and to collect the residue of such wages, excepting such sums as may have been collected by the Teachers from all persons liable therefor.

9. To divide the public moneys received by them whenever authorized by a vote of their District into not exceeding four portions for each year ; to assign and apply one of such portions to each quarter or term during which a School shall be kept in such District, for the payment of the Teacher's wages during such quarter or term, and to collect the residue of such wages not paid by the proportion of public money allotted for that purpose from the persons liable therefor, as above provided.

10. To exempt from the payment of the wages of Teachers such indigent persons within the District as they shall think proper.

11. To certify such exemptions and deliver the certificate thereof to the Clerk of the District, to be kept on file in his office.

12. To ascertain, by examination of the School list kept by such Teachers, the number of days for which each person not so exempted shall be liable to pay for instruction, and the amount payable by each person.

13. To make out a rate bill containing the name of each person so liable, and the amount for which he is liable, adding thereto five per cent. of the sum due from him for Collector's fees, and to annex thereto a warrant for the collection thereof.

14. To deliver such rate bill, with the warrant annexed, to the Collector of the District, who shall execute the same in like manner with other warrants directed to him by them.

And be it, etc., That in making out a tax list the Trustees shall apportion the tax on all the taxable inhabitants within their District, according to the valuations of the taxable property which shall be owned or possessed by them, at the time of making out the list, within the District, or which being intersected by the boundaries of the District, shall be owned or possessed by them, partly in such District and partly in any adjoining District ; but where taxable property shall be owned by one inhabitant and possessed by another only one of them shall be taxed therefor.

Taxes, how apportioned.

- Taxes, how apportioned.** *And be it, etc.,* That any person owning or holding any real property within any School District who shall improve and occupy the same by his agent or servant shall, in respect to the liability of such property to taxation, be considered a taxable inhabitant of such District, in the same manner as if he actually resided therein.
- Ib.** *And be it, etc.,* That if there shall be any real property within a District, cultivated and improved, but not occupied by a tenant or agent, and the owner of which shall not reside within the District, nor be liable to be taxed for the same in an adjoining District, such owner shall be taxable therefor in the same manner as if he were an inhabitant of the District; but no portion of such property, but such as shall be actually cleared and cultivated, shall be included in such taxation.
- Valuation, how ascertained.** *And be it, etc.,* That the valuations of taxable property shall be ascertained as far as possible from the last assessment roll of the Township; and no person shall be entitled to any reduction in the valuation of such property as so ascertained, unless he shall give notice of his claim to such reduction to the Trustees of the District before the tax list shall be made out.
- And be it, etc.,* That in every case where such reduction shall be duly claimed, and in every case where the valuation of taxable property cannot be ascertained from the last assessment roll of the Township the Trustees shall ascertain the true value of the property to be taxed from the best evidence in their power, giving notice to the persons interested and proceeding in the same manner as the Township assessors are required by law to proceed in the valuations of taxable property.
- Exemption in certain cases.** *And be it, etc.,* That every taxable inhabitant of a District, who shall have been within four years set off from any other District, by the commissioners of Common Schoo's, without his consent, and shall, within that period, have actually paid in such other District, under a lawful assessment therein, a District tax for building a School House, shall be exempted by the trustees of the District where he shall reside, from the payment of any tax for building a School House therein.
- Time of making tax list.** *And be it, etc.,* That every District tax shall be assessed and the tax list thereof be made out by the Trustees, within one month after the District meeting in which the tax shall have been voted.
- Remedy for tenant against owner.** *And be it, etc.,* That where any District tax for the purpose of purchasing a site for a School House, or for purchasing or building, keeping in repair or furnishing such School House with necessary fuel and appendages, shall be lawfully assessed and paid by any person, on account of any real property, whereof he is only tenant-at-will, or for three years, or for a less period of time, such tenant may charge the owner of such real estate with the amount of the tax so paid by him, unless some agreement to the contrary shall have been made by such tenant.
- Fuel, how provided.** *And be it, etc.,* That when the necessary fuel for the School of any District shall not be provided by means of a tax on the inhabitants of the District, it shall be the duty of every person sending a child to the School to provide his just proportion of such fuel.
- Proportion, how determined.** *And be it, etc.,* That the proportion of fuel which every person sending children to the School shall be liable to provide, shall be determined by the Trustees of the District, according to the number of children sent by each; but such indigent persons as in the judgment of the Trustees shall be unable to provide the same, shall be exempted from such liability.
- When Trustees to furnish and charge delinquent.** *And be it, etc.,* That when any person liable to provide fuel, shall omit to provide the same, on notice from any one of such Trustees, it shall be the duty of the Trustees to furnish such fuel and to charge the person so in default, the value of, or amount paid for the fuel furnished.
- Ib.** *And be it, etc.,* That such value or amount may be added to the rate bill of the moneys due for instruction, and may be collected therewith and in the same manner; or the Trustees may sue for and recover the same in their own names, with costs of suit.
- Warrant.** *And be it, etc.,* That the warrant annexed to any tax list or rate bill, shall be under the hands and seals of the Trustees or a majority of them, and shall command the Collector to collect from every person in such tax list and rate bill named, the sum therein set opposite to his name.
- Ib.** *And be it, etc.,* That the warrant annexed to any tax list for the collection of a District tax for erecting or repairing any School House, shall command the collector, in case any person named in such list shall not pay the sum therein set

opposite to his name, on demand, to levy the same of his goods and chattels, in the same manner as on warrants issued to the collectors of Townships.

And be it, etc., That if the sum or sums of money payable to any person named in such tax list or rate bill shall not be paid by him or collected by such warrant within the time therein limited, it shall and may be lawful for the Trustees to renew such warrant in respect to such delinquent person; or in case such person shall not reside within their District at the time of making out a tax list or rate bill, or shall not reside therein at the expiration of such warrant, and no goods or chattels can be found therein, whereon to levy the same, the Trustees may sue for and recover the same in their name of office. Trustees may renew or sue delinquent.

And be it, etc., That if the moneys apportioned to a District by the Commissioners of Common Schools shall not have been paid, it shall be the duty of the Trustees thereof to bring a suit for the recovery of the same, with interest, against the Commissioners in whose hands the same shall be, or to pursue such other remedy for the recovery thereof as is or shall be given by law; and the moneys when recovered, shall be applied by them in the same manner as if they had been paid without suit. Annual report of Trustees.

And be it, etc., That the Trustees of each District School shall after the first day of January in every year, and on or before the first day of March thereafter, make out and transmit a report in writing to the Commissioners of Common Schools for such Township, dated on the first day of January, in the year in which it shall be transmitted. How made.

And be it, etc., That every such report signed and certified by a majority of the Trustees making it, shall be delivered to the Township Clerk and shall specify, Its contents.

1. The whole time any School has been kept in their district, during the year ending on the day previous to the date of such report, and distinguishing what portion of the time such School has been kept by qualified Teachers.

2. The amount of moneys received from the Commissioners of Common Schools during such year, and the manner in which such moneys have been expended.

3. The number of children taught in the District during such year.

4. The number of children residing in the District on the last day of December previous to the making of such report, over the age of five years, and under sixteen years of age, (except Indian children otherwise provided for by law), and the names of the parents or other persons with whom such children shall respectively reside, and the number of children residing within each.

And be it, etc., That no Teacher shall be deemed a qualified Teacher within the meaning of this act, who shall not have received, and shall not then hold a certificate of qualification, dated within one year, from the Inspectors of Common Schools for the Township in which he shall be employed. Qualified teachers.

And be it, etc., That where a School District is formed out of two or more adjoining Townships, it shall be the duty of the Trustees of such District, to make and transmit a report to the Commissioners of Common Schools for each of the Townships out of which such District shall be formed, within the same time and in the same manner, as is required in this Act; distinguishing the number of children over the age of five and under sixteen years, residing in each part of a District, which shall be in a different Township from the other parts, and the number of children taught, and the amount of School moneys received for each part of the District. District formed from two Townships, how to report.

And be it, etc., That where any neighbourhood shall be set off by itself, the inhabitants of each separate neighbourhood shall annually meet together, and choose one Trustee; whose duty it shall be every year, within the time limited for making District reports, to make and transmit a report, in writing, bearing date on the first day of January, of the year in which it shall be transmitted, to the Commissioners of Common Schools of the Township from which such neighbourhood shall be set off, specifying the number of children over the age of five and under sixteen years, residing in such neighbourhood; the amount of moneys received from the Commissioners since the date of his last report, and the manner in which the same have been expended. Separate neighbourhoods, how to report.

And be it, etc., That every Trustee of a School District, or separate neighbourhood, who shall sign a false report to the Commissioners of Common Schools of his Township, with the intent of causing such Commissioners to apportion and pay to Penalty for false reports.

his District or neighbourhood a larger sum than its just proportion of the School moneys of the Township, shall, for each offense, forfeit the sum of six pounds five shillings, and shall also be deemed guilty of misdemeanor.

- Property of Districts, how held.** *And be it, etc.,* That all property now vested in the Trustees of any School District, for the use of Schools in the District, or which may be hereafter transferred to such Trustees for that purpose, shall be held by them as a corporation.
- Trustees to account.** *And be it, etc.,* That the Trustees of each School District shall on the expiration of their offices, render to their successors in office, and to the District, at a District meeting, a just and true account, in writing, of all moneys received by them respectively, for the use of their District, and of the manner in which the same shall have been expended; which account shall be delivered to the District Clerk, and be filed by him.
- Balance paid to successors.** *And be it, etc.,* That any balance of such moneys which shall appear from such account to remain in the hands of the Trustees, or either of them, at the time of rendering the account, shall immediately be paid to some one or more of their successors in office.
- Forfeitures for negligence.** *And be it, etc.,* That every Trustee who shall refuse or neglect to render such account, or to pay over any balance so found in hands, shall, for each offence, forfeit the sum of six pounds five shillings.
- How prosecuted.** *And be it, etc.,* That it shall be the duty of his successors in office to prosecute without delay in their name of office, for the recovery of such forfeiture, and the moneys recovered shall be applied by them to the use and benefit of their District School.
- Remedy against former trustees.** *And be it, etc.,* That such successors shall also have the same remedies for the recovery of an unpaid balance in the hands of a former Trustee, or his representatives, as are given to the Commissioners of Common Schools against a former Commissioner and his representatives; and the moneys recovered shall be applied by them to the use of their District, in the same manner as if they had been paid without suit.
- Bonds to be delivered.** *And be it, etc.,* That all bonds or securities, taken by the Trustees from the collectors of their District, shall on the expiration of their office be delivered over by them to their successors in office.
- Fees of collection.** *And be it, etc.,* That the Collector of each School District shall be allowed five per cent. on all sums collected and paid over by him.
- His duty in collecting tax.** *And be it, etc.,* That it shall be his duty to collect and pay over to the Trustees of his District, some or one of them, all moneys which he shall be required by warrant to collect, within the time limited in each warrant for its return, and to take the receipt of such Trustee or Trustees for payment.
- To give bond.** *And be it, etc.,* That every Collector of a School District, shall before receiving any warrant for the collection of moneys execute a bond to the Trustees of his District when required by them, in their corporate name, with one or more sureties, to be approved by one or more of the Trustees, in double the amount of taxes to be collected, conditioned for the due and faithful execution of the duties of his office.
- If not, how to proceed.** *And be it, etc.,* That if any Collector shall not execute such bond within the time allowed him by the Trustees for that purpose, which shall not be less than ten days his office shall be vacated, and the Trustees may appoint any other person residing in the District, as Collector in his place.
- Forfeiture for neglect.** *And be it, etc.,* That if, by the neglect of the Collector, any moneys shall be lost to his District, which might have been collected within the time limited in the warrant delivered to him for their collection, he shall forfeit to his District the full amount of the moneys thus lost, and shall account for and pay over the same to the Trustees of his District, in the same manner as if they had been collected.
- Trustees may sue.** *And be it, etc.,* That for the recovery of all forfeitures, and of balances in the hands of a Collector which he shall have neglected to pay over, the Trustees of the District may sue in their name of office; and shall be entitled to recover the same with interest and costs, and the moneys recovered shall be applied by them in the same manner as if paid without suit.
- And be it, etc.,* That any person considering himself aggrieved in consequence of any decision made :

1. By any School District meeting.

2. By the Commissioners of Common Schools, in the forming or altering, or in refusing to form or alter any School District, or in refusing to pay any School moneys to any such District.

3. By the Trustees of any District in paying any Teacher or refusing to admit any scholar gratuitously into any School.

4. Or concerning any other matter under the present article ;

May appeal to the Superintendent of Common Schools, whose decision thereon shall be final. Appeal to superintendents.

And be it, etc., That it shall be the duty of each Clerk of the Peace for the District, between the first day of October, and the first day of December, in every year, to make and transmit to the Superintendent of Common Schools, a report, in writing, containing the whole number of Townships in his District, distinguishing the Townships from which the necessary reports have been made to him by the Commissioners of Common Schools, and containing a certified copy of all such reports. Of certain duties of the Clerk of the Peace for the District

And be it, etc., That every Clerk of the Peace who shall refuse or neglect to make such report, within the period so limited, shall, for each offence, forfeit the sum of twenty-five pounds to the use of the School fund of the Province.

Penalty for neglect.

And be it, etc., That it shall be the duty of the Superintendent of Common Schools to prosecute without delay, in his name of office, for such forfeitures, and to pay the moneys recovered, into the treasury of the Province, to the credit of the School fund. How prosecuted and applied

And be it, etc., That it shall be the duty of each Clerk of the Peace, after the first day of October in every year, in case the Commissioners of Common Schools, of any Township in his District, shall have neglected to make to him their Annual Report, to give notice of such neglect to the Clerk of the Township who shall immediately assemble such Commissioners for the purpose of making their report. Notice to clerks of Townships.

And be it, etc., That whenever a School House shall have been built, or purchased for a District, the site of such School House shall not be changed, nor the building thereon be removed, as long as the District shall remain unaltered, unless by the consent in writing, of the Commissioners of Common Schools, or a majority of them, of the Township or Townships within which such District shall be situated, stating that in their opinion such removal is necessary ; nor then, unless two-thirds of all those present at a special meeting of such District, called for that purpose and qualified to vote therein, shall vote for such removal and in favour of such new site. Site of School House, how changed.

And be it, etc., That such vote shall be taken by ayes and nays, and the name of each voter with the vote that he shall give, shall be entered by the Clerk in the records of such School District. Vote by ayes and nays.

And be it, etc.,—That every notice of a District meeting called in pursuance of the Act, shall state the purpose for which such meeting is called. Vote by ayes and nays.

And be it, etc., That whenever a site of a School House shall have been changed as herein provided, by the inhabitants of the District entitled to vote, lawfully assembled at any District meeting, such meeting shall have power, by a majority of the votes of those present, to direct the sale of the former site or lot, and the buildings thereon, and appurtenances, or any part thereof, at such price and upon such terms as they shall deem most advantageous to the District, and any deed duly executed by the Trustee of such District, or a majority of them, in pursuance of such direction shall be valid and effectual to pass all the estates or interest of such School District, in the premises intended to be conveyed thereby, to the grantee named in such deed ; and when a credit shall be directed to be given upon such sale, for the consideration money, or any part thereof, the Trustees are hereby authorized to take, in their corporate name, such security by bond and mortgage, or otherwise, for the payment thereof, as they shall deem best, and shall hold the same as a corporation, and account therefor to their successors in office and to the District, in the manner they are now required by law to account for moneys received by them ; and the Trustees of any such District for the time being may, in their name of office, sue for and recover the moneys due and unpaid upon any security so taken by them or their predecessors in office, with interest and costs. Notices.

Sale of School lot and building.

And be it, etc., That all moneys arising from any sale made in pursuance of the last preceding section, shall be appropriated to the payment of the expenses incurred in procuring a new site, and in removing or erecting a School House, or either of them, so far as such application thereof shall be necessary. Avalis how to be applied.

Provision for educating male and female Teachers.

And be it, etc., That whenever the permanently available School funds of this Province, shall exceed ten thousand pounds per annum by not less than one thousand pounds, one thousand pounds annually shall be set apart and appropriated by the Superintendent towards the endowment and support of four Schools in this Province for the education of Teachers, three of which shall be for the education and qualification of male Teachers, and one for the education and qualification of female Teachers within this Province; and that the same shall be located in such parts of the Province as shall be provided by some future Act of the Legislature.

Garden, etc. plot provided for.

And be it, etc., That it shall and may be lawful for any School District in any township in this Province, when two-thirds of the taxable inhabitants of that School District shall think fit, and shall by their vote, authorize the levying and collecting a tax for the same, to the amount of any sum, not exceeding one hundred pounds, except as is provided for raising a larger sum than one hundred pounds for building a School House to be raised, levied and collected in the same manner as the tax for building a School House is, by this Act authorized to be raised, levied and collected; to authorize the Trustees of such School District to raise, levy and collect the moneys as voted, and therewith to purchase or lease a lot or parcel of land, farming utensils, seeds, grains and grasses for the use, benefit and behoof of that District, for the use of the Teachers of the School, or to be annually apportioned among the scholars of the School; or otherwise employed and occupied, for the profit and instruction of the School or parts thereof, in horticulture, agriculture, or otherwise, growing plants, fruits, grasses and grains, as the Trustees together with the School Teacher for the time being may think fit; and the avails and profits thereof to be applied, laid out, given and expended in the advancement of the true interests of that School District, to the scholars cultivating the same or otherwise, according to just and equitable principles as the said Trustees, together with the Teacher may think fit.

Mechanical arts.

And be it, etc., That it shall and may be lawful for any School District in any Township in this Province, when two-thirds of the taxable inhabitants of that School District shall think fit, and shall by their vote authorize the levying and collecting a tax for the same to the amount of any sum not exceeding one hundred pounds, excepting as is provided in the preceding section to be raised, levied and collected, in the same manner as the tax for building a School House is by this Act authorized to be raised, levied and collected, to authorize the Trustees of such School District, to raise levy, and collect the moneys so voted, and therewith to purchase or lease any shop, work-house, mechanical tools and materials, for the purpose of enabling the scholars of the School taught in that District profitably to employ a portion of their time in the acquiring a knowledge of such mechanical skill, art, business or profession, as the Trustees together with the School Teacher of such District shall think fit, and to apply the profits of the business to the best interests of the District as they may deem expedient.

Act when to take effect.

And be it, etc., That this Act shall take effect immediately after its passage.

GEOLOGICAL SURVEY OF THE COUNTRY EAST OF LAKE HURON, 1835.

February 25th, 1836.—Mr. Speaker reported that Mr. Secretary Joseph had brought down from His Excellency the Lieutenant-Governor, several Messages and Documents. The two following were read by the Speaker:

F. B. HEAD:

The Lieutenant-Governor transmits for the information of the House of Assembly the accompanying Report of the officer at the head of an exploring party, appointed to examine the country on the East Shore of Lake Huron, during the past season.

GOVERNMENT HOUSE,
25th of February, 1836.

F. B. H.

NOTE.—This Report, headed "A Summary of Facts and Remarks on a portion of the Lake Huron territory traversed by an exploring party, despatched in the summer of 1835, by order of his Excellency Sir John Colborne, K.C.B." It is signed by F. H. Baddeley, Captain of the Royal Engineers. Appended to it is a "Report of a Committee of the House of Assembly on Geological Surveys," signed by Mr. Robert Graham Dunlop, Chairman. By reference to pages 147, 148 of this

Volume, it will be seen that the House of Assembly, by adopting the Second Report of the Select Committee of the House of Assembly on Education, in December, 1833, strongly urged upon Sir John Colborne the desirability of sending

Out exploring parties during the ensuing season, to penetrate from different points on the north shore of Lake Huron, in continuous right lines, some fifty or sixty miles into the heart of the country.

If a practical Surveyor were sent out to produce the lines, and take field notes of the soil, timber, waters, etc., and a gentlemen of science, like Captain Bonnycastle, were to accompany him and report upon the geology and mineralogy of the interior, as well as of the borders of the Lake, the result would not fail to be highly beneficial to the interests of the Province, as well as those of the Empire at large.

The Suggestions in this Report were acted upon by Sir John Colborne, and the result is embodied in the Report on the subject, which will be found in the Appendix to the Journals of the House of Assembly for 1836, Volume III, Number 126.

The following Message from the Lieutenant-Governor was also read by the Speaker :

F. B. HEAD :

The Lieutenant-Governor transmits to the House of Assembly copies of such Reports of the District (Grammar) Schools and Boards of Education, as has been received for the year 1835, [videlicet, Eastern Ottawa, Johnstown, Midland, Prince Edward and Niagara District.]

GOVERNMENT HOUSE,
25th February, 1836.

F. B. H.

February 29th, 1836.—The Petition of Mr. William Benson of the London District, presented to the House on the 26th instant, was read, praying that the provision made for the support of Common Schools in said District may be more equally divided among the Teachers of said Schools. (Referred on the 1st of March to the Select Committee on Education).

March 2nd, 1836.—The Petition of Mr. Barnabas Gregory, of the Township of Louth, and one hundred and eleven others of the same Township, presented to the House on the 29th ultimo, praying for the more equitable distribution of School money, was read, and referred to the Select Committee on Education.

March 3rd, 1836.—Mr. William B. Wells, seconded by Mr. Peter Shaver, moves that four thousand copies of the Report on Education of the Commissioners appointed by this House during the late Session, with the additions to the appendix and index, be printed in pamphlet form for the use of Members, and also that two hundred copies of the Bill be printed immediately. After some amendments were put and lost, this motion was carried by a vote of 29 yeas to 3 nays ; (Messieurs Allan N. Macnab, John P. Roblin and Francis L. Walsh.)

Monday, March 21st, 1836.—Mr. McKay, from the Committee to which was referred the Petition of Mr. George Hamilton and others of the Ottawa District, presented on the 29th of January, praying for an alteration in the Act granting moneys for the support of Common Schools, presented a Report (with the draft of a Bill) on the subject as follows :

To the Honourable the Commons House of Assembly :

It appears, upon investigation, that the late Treasurer of the District of Ottawa has made no return of the moneys received by him for the support of Common Schools within the District for the year 1834, and, when called upon by the Committee to transmit an account of the expenditure, he expresses his inability to do so, assigning as his reason that his books and papers had been destroyed, and referred the Committee to the Inspector-General for information respecting his returns made to that Officer.

Upon application to the Inspector-General, however, the Committee were informed that no returns for the year 1834 had been transmitted to him by the Treasurer.

The Committee have reason to believe that the money received by the Treasurer for the support of Common Schools in the Ottawa District for 1834, has not only not been accounted for to the public, but that the greater part, if not the whole, of the sum received by him, remains in his hands.

Under these circumstances, the Committee respectfully recommend that His Excellency the Lieutenant-Governor be requested to direct legal proceedings to be instituted against the late Treasurer of the Ottawa District, to compel him to account for the money received by him, and which remains in his hands ; and that an Act should be passed, (the draft of which accompanies

this Report), suspending the operating of the fifth section of the Provincial Act, sixtieth of George the Third, [or First George the Fourth (1820) page 173 of the First Volume of this History], so as to authorize a continuance of the allowance of money for the benefit of the Common Schools in the District of Ottawa, notwithstanding the defalcation of the Treasurer of that District. All which is respectfully submitted.

COMMITTEE ROOM, HOUSE OF ASSEMBLY,
21st day of March, 1836.

THOMAS MACKAY,
Chairman.

The Ottawa District School Bill was read the first time, and it was ordered, that the Bill to authorize the payment of Common School moneys to the Ottawa District, be read a second time to-morrow.

March 22nd, 1836.—Mr. Charles Duncombe gives notice, that he will, on to-morrow, move this House into a Committee of the Whole, upon the subject of the Public (Grammar) School fund of this Province generally, but more especially to enable him to move for an annual grant, for three years, of twenty thousand pounds (£20,000—\$80,000,) from the revenues of the Province for the support of Common Schools, including the District (Grammar) Schools within the several Districts of the same, unless the available annual Public (Grammar) School fund, arising from the rents, or interest, on sales of the School Lands, or Clergy Reserves, of this Province, applicable to the support of Common Schools within the same, shall, together with such other sums as may have been permanently appropriated for that purpose, amount to not less than twenty thousand pounds, (£20,000,) annually.

March 23rd, 1836.—The Petition of Doctor William Rees, presented on the 24th ultimo, and read on the 26th, praying for a grant of money for the erection of a Provincial Museum, was brought up by Mr. William L. Mackenzie, but his motion to refer it to the Committee of Supply was lost.

March 24th, 1836.—Pursuant to the Order of the Day, the Ottawa School money Bill was read the third time and passed. Mr. Thomas Mackay, seconded by Mr. Harmannus Smith, moves that the Bill be intitled: "An Act to Authorize the payment to the Treasurer of the District of Ottawa of the appropriation towards the support of Common Schools in said District, for the years 1835 and 1836." Which was carried, and Messieurs Thomas Mackay and Harmannus Smith were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

March 25th, 1836.—Mr. Alexander Chisholm, from the Standing Committee on Education, reported that the Committee had agreed to two Bills,—drafts of which he was ready to submit, whenever the House would be pleased to receive the same. The Report was received, and—

1. The Bill to amend the Charter of King's College was read the first time, and was ordered, that the Bill be read a second time to-morrow.

2. The Bill for the Promotion of Education was read the first time, and it was ordered, that the Bill be read a second time to-morrow.

Pursuant to notice, Mr. Charles Duncombe, seconded by Mr. Robert Alway, moves, that this House do now resolve itself into a Committee of the Whole upon the subject of Common Schools. Which was carried, and the House was put into Committee of the Whole on the same. Mr. John Brown was called to the chair.

The House having resumed, the Chairman reported that the Committee had agreed to a Resolution, which he was directed to submit for the adoption of the House. The Report was received, and the Resolution was read and adopted as follows:

Resolved, That there be granted to His Majesty, the sum of five thousand six hundred and fifty pounds, (£5,650,) for the support of Common Schools, for the present year (1836), to be distributed among the several Districts in the same manner as the same sum of five thousand six hundred and fifty pounds, (£5,650,) were distributed for the year 1835.

On motion of Mr. Charles Duncombe, seconded by Mr. James Wilson, it was ordered, that Messieurs Alexander Chisholm and John P. Roblin be a Committee to draft and report a Bill in conformity to the foregoing Resolution.

March 28th, 1836.—Mr. Secretary Joseph brought down from His Excellency, the Lieutenant-Governor, several Messages and Documents, and having retired, the following were read by Mr. Speaker:

F. B. HEAD:

The Lieutenant-Governor transmits to the House of Assembly, with reference to the Address of the House of the first ultimo, the accompanying Report of the Inspector-General, on the subject of the salary paid to Teachers of the Home District (Grammar) School, since the 1st of July, 1823.

GOVERNMENT HOUSE, 28th of March, 1836.

F. B. H.

The Report, addressed to the Secretary of the Lieutenant-Governor, is as follows :

In consequence of your communication of the 20th instant, I beg to state that the amount paid to Teachers of the Home District (Grammar) School since the resignation of Archdeacon Strachan, say, the 1st of July, 1823, is seven hundred and ninety-six pounds, ten shillings and ten pence half-penny, (£796.10.10½).

With respect to the Apparatus mentioned in the Address of Assembly, I believe that part of it is in possession of the Mathematical Master of Upper Canada College, and the remainder is in one of the rooms of the General Hospital. I know of no reason why it should not be at the service of the Home District School Master for the illustration of Lectures on Natural Philosophy and Astronomy.

GEORGE H. MARKLAND,
Inspector-General.

TORONTO, 27th February, 1836.

F. B. HEAD :

The Lieutenant-Governor transmits to the House of Assembly, with reference to an Address of the House presented to his Predecessor (on the 3rd of March, 1835), during the last Session, the accompanying Returns relating to the funds of King's College, Upper Canada College, and the late General Board of Education. (See pages — of this Volume).

GOVERNMENT HOUSE,
28th March, 1836.

F. B. H.

The Communication of the Bursar of King's College, accompanying these Returns, and addressed to the Governor's Secretary, is as follows :

I have the honour herewith to transmit various Abstracts and Explanatory Statements relating to the Funds of King's College, Upper Canada College, and the late General Board of Education, which, by direction of the late Lieutenant-Governor, Sir John Colborne, in compliance with an Address of the House of Assembly, were ordered to be prepared.

Those now sent are in addition to a former mass of papers already furnished to the late Secretary, (Mr. McMahon,) with a letter explanatory of the delay that occurred in the preparing of them.

I trust that His Excellency the Lieutenant-Governor will be satisfied with the pains that have been taken on my part to render these multifarious accounts clear and explicit, for I have been most anxious so to render them.

JOSEPH WELLS,
Bursar.

KING'S COLLEGE,
14th March, 1836.

NOTE.—The following is a description of the Documents, accompanying the Accounts of King's College, Upper Canada College and the late General Board of Education :

Number 1. Abstract of the Bursar's General Account current with King's College for the year 1835. Description of Documents.

Number 2. Abstract of the General Account of the Treasurer of Upper Canada College for the year 1835. Numbers 1 to 4.

Number 3. Abstract of the General Account of the late Treasurer of the late General Board of Education for the year 1835.

Number 4. Explanatory Remarks by Lieutenant-Colonel Wells, as Registrar and Bursar of King's College, and Treasurer of Upper Canada College.

Letter A. Statement of Expenditure upon the Buildings, etc., of Upper Canada College, from the commencement in 1829 to 31st December, 1835. Statements A, B, and C.

Letter B. Statement of Items of Small Expenditure upon the Buildings, etc., of Upper Canada College, paid by Captain Fitzgibbon, and referred to in Statement A.

Letter C. Statement of the Expenditure upon the Grounds of the University of King's College, from the commencement in 1828 to the 31st December, 1835.

Letter D.

Letter D. Details of Payments made by the Treasurer of the Upper Canada College, explanatory of the total amounts charged by him in the Abstracts laid before the House of Assembly in the Sessions of 1831 and 1832. (Pages 60 and 93 of this Volume. See also page 136.)

JOSEPH WELLS,

Registrar and Bursar of King's College, Treasurer of Upper Canada College, and of the late General Board of Education.

KING'S COLLEGE, 14th of March, 1836.

These accounts, submitted by the Honourable Joseph Wells, Bursar of King's College, etc., are very voluminous and extend to twenty pages of the Appendix, number sixty-four, of the Journals of the House of Assembly for 1836.

Mr. Wells, in Document number four, makes the following "Explanatory Remarks" on paragraphs numbers one, two, three, four and five of the Address of the House of Assembly to the Lieutenant-Governor on the 3rd of March, 1835, asking for these returns. These Addresses were dated on the 3rd of March, 1835, and the 3rd of February, 1836. (Pages 164 and 282 of this Volume.) He says:

Paragraph Number One (of the Address of 1835). In reference to that part of paragraph number one in the Address of the House of Assembly, which calls for the authority, under which the Buildings, etc., of Upper Canada College were erected, and from what funds the payments have been severally taken, the Treasurer remarks, that the members of the late General Board of Education were requested by the Lieutenant-Governor* to undertake, with his express sanction the entire management attending the erection of them; and the Treasurer was authorized by the Board to temporarily make use of the funds in his hands until those of King's College were enable to repay the same, and to which the Council of King's College gave their assent. One Member of the Board was appointed to superintend the execution of the plans approved of; and the said Member, with another, were appointed to act as Auditors of the different accounts, and to certify to their correctness, prior to their being presented to the Treasurer for payment. The accounts were then paid by cheques upon the Bank of Upper Canada, payable to order; they thus formed additional vouchers of the sums having been actually paid as separately receipted upon the several accounts.

The sums temporarily borrowed from the funds of the late General Board of Education have since been restored, and paid into the hands of the Receiver-General of the Province.

The Statement of the Expenses of the Buildings, etc., as called for in this paragraph number one, is herewith transmitted.

Paragraph Number Two (of the same Address). In the accompanying detail of Expenditure on the grounds of King's College, as called for in paragraph number two, it may be proper to explain, that as the Bursar can procure vouchers for each sum paid to the Overseer of the grounds, he did not suppose it could be intended that he send copies of the numerous pay lists of labourers, etc., which are filed in this office, inasmuch as each list (most of them weekly), contains the name of every labourer employed, with the amount of wages due to each. . . . If required, copies of these pay lists can be furnished. . . . All other payments, for salaries to officers, etc., of the Institution will be found particularized in the various Abstracts. . . .

Paragraph Number Three (of the same Address). An explanation of the Communication required, in this paragraph, has already been sent by the individual to whom it concerns. (See pages 170 and 189 of this Volume.)

Paragraph Number Four (of the same Address). The Treasurer refers to the Abstracts, upon those parts which concerns his Department.

Paragraph Number Five (of the same Address). The Detailed Statements, here called for, accompany this Communication. The explanation required in the latter part of it has already been furnished.

JOSEPH WELLS,
Bursar, etc.

KING'S COLLEGE,
14th March, 1836.

*See reply of the Reverend Doctor Strachan and others to Question Number Three on pages 84-91 of this Volume.

In Statement Number Three, (or "C,") the Bursar gives the particulars of the payments, made during the years 1828 and 1829, for the site of King's College and expenditure on the grounds, as follows:

1828. <i>August 13th</i> , paid Samuel Peter Jarvis, Esquire, on account of the purchase money of the rear half of the Honourable William Dummer Powell's Park Lot of fifty-two acres, at twenty-five pounds, (£25,) per acre	£ 500	0s.	0d.
<i>November</i> , paid on further account of the same.....	733	10	8
<i>December 30th</i> , paid D'Arcy Boulton, Esquire, in full of the payment for the rear half of his Park Lot, with seven months' interest from the day of sale, fifty-two acres at twenty-five pounds, (£25,) per acre	1,345	10	0
1829. <i>February 28th</i> , paid John Elmsley, Esquire, half a year's interest to the 26th of November, 1828, on the account of the purchase money of fifty-four acres at twenty-five pounds, (£25,) per acre	40	10	0
Paid John Elmsley, Esquire, one-half the cost of a boundary fence.....	35	6	5
<i>May 26th</i> , paid John Elmsley, Esquire, in full for the fifty-four acres purchased of him, with half a year's interest to this day.....	1,390	10	0
<i>August 15th</i> , paid Samuel Peters Jarvis, Esquire, in full of principal and interest for the purchase of the rear half of the Honourable William Dummer Powell's Park Lot, fifty-two acres, and the west half of the College Avenue, five acres, and thirty-two hundredths of an acre, at twenty-five pounds, (£25,) per acre.....	233	18	0
<i>November 21st</i> , paid the Honourable John Beverley Robinson, on account of the purchase of the east half of the College Avenue, five acres, and ten one hundredths of an acre, at twenty-five pounds, (£25,) per acre	125	0	0
Miscellaneous Expenditure on the Grounds, up to the end of the year 1835	£4,404	5s.	1d.
	4,826	17	4
	£9,231	2	5
Miscellaneous Expenditure on the Grounds, from 1835 up to the end of the year 1849, as stated by the Inquiry Commissioners of 1848-1852, (Page 221 of this Volume)	5,629	15	7
Total Expenditure.....	£14,860	18s.	0d.

March 30th, 1836.—Pursuant to the Order of the Day, the Promotion of Education Bill was read a second time. The House was put into Committee of the Whole on the Bill, Mr. Robert Alway in the chair.

The House having resumed, the Chairman reported that the Committee had gone through the provisions of the Bill, made some amendments to the same, and submitted it for the adoption of the House. The Report was received, and it was ordered, that the Bill be engrossed and read a third time on Saturday next.

Pursuant to the Order of the Day, the Bill to amend the Charter of King's College, was read the second time. The House was put into Committee of the Whole on the Bill, Mr. James E. Small in the chair.

The House having resumed, the Chairman reported that the Committee had gone through the provisions of the Bill, agreed to the same without amendment, and submitted it for the adoption of the House. The Report was received.

BILL FOR THE ESTABLISHMENT OF MINOR SEMINARIES.

Mr. Alexander Chisholm from the Standing Committee on Education, reported the draft of a Bill which was received and read a first time. It was ordered that the Bill for the establishment of Minor Institutions, (or Provincial Seminaries,) of Education throughout the Province be read a second time to-morrow; ordered also that five hundred copies of this Bill be printed.

NOTE.—The following is a copy of this Bill for the establishment and Endowment of Minor Institutions, or Provincial Seminaries:*

WHEREAS it is expedient that more effectually to promote the cause of Education, and for the better encouragement of learning, to make provision for the establishment and support of minor classical Institutions throughout this Province. Be it therefore enacted, etc.

That from and after the first day of January, 1837, the several laws now in force in this Province relating to the District (Grammar) Schools, within the same are hereby repealed.

2. *And be it enacted, etc.*—That when the inhabitants of any Town, Township, Village, or place, shall meet together and enter into subscriptions by stock, and build, or otherwise obtain, a School House, to be called a Provincial Seminary, the same shall be endowed with £——, annually, to be paid out of the Treasury of this Province, or from money that may be derived from School Lands, or any other source that may be devised by the Legislature of this Province.

Provided always, nevertheless, that each Provincial Seminary, so to be built, shall be in a Town, Township, Village, or place, where there shall be resident, at least one hundred children between the ages of four and sixteen years, and within the distance of one mile and a half from the said Seminary, and shall not be within the distance of ten miles from any such Seminary previously built;

And provided also, the inhabitants of such Town, Township, Village, or place, and the Trustees of each such Seminary, shall comply with the several clauses and provisions of this Act:

Provided always, that no district shall be entitled to more than three such Seminaries.

3. *And be it enacted, etc.*—That, before the inhabitants of any Town, Township, Village, or place, shall be entitled to the benefits and privileges of this Act, they shall erect and build a good and substantial Seminary, not less than two storeys in height, and fifty feet long, by thirty feet in breadth, furnished with a cupola and spire, and furnished with a suitable bell.

4. *And be it enacted, etc.*—That as soon as such Seminary shall be erected and furnished, it shall and may be lawful for the subscribers, or stockholders, to meet together in the said Seminary; and at such meeting shall be chosen by ballot, from amongst the subscribers, or stockholders, by a majority of them then and there present, voting by shares, as hereinafter provided, five Trustees; three of whom shall be a quorum for transacting all business relating to the said Seminary; and that after the first meeting and election of Trustees, each succeeding meeting of the subscribers, or stockholders, for the election of Trustees, shall be held at the said Seminary, on the first Monday in May of each and every year; and no person shall be elected to be a Trustee of the said Seminary, unless he shall have resided in the District where such Seminary shall be erected, for the space of three years next before such election.

5. *And be it enacted, etc.*—That the said Trustees shall appoint a Treasurer, who shall enter into bonds with two sureties, made to the said Trustees and their successors in office, for

* The title of this Bill is like that one introduced into the House of Assembly by Mr. George Rykert, and dropped by a Committee of the Whole, on the 29th of January, 1836, (see page 281 of this Volume). It is possible that the dropped Bill may have been taken up by the Select Committee of the House on Education and reintroduced by that Committee to the House on the 30th of March, 1836. The titles of both Bills were almost identical, and the substance of the Bills may have been substantially the same.

the due fulfilment of his office, and shall also appoint a Secretary, and other necessary officers; make such by-laws, and transact such other matters as to the said Trustees shall appertain to do; and it shall be the duty of the Trustees for the time being, to give public notice, at least two weeks previous to the annual meeting of the stockholders, on the first Monday in May, in each year; and also the said Treasurer, Secretary, or other Officers shall be liable to be removed by the said Trustees, or by a majority of them, for any neglect or misconduct in their offices, and others may be appointed to their places by the said Trustees.

6. *And be it enacted, etc.*—That the said Trustees of each such Seminary as shall be built under the provisions of this Act, and their successors, to be chosen as aforesaid, shall be, and they are hereby declared to be, a body corporate and politic, in deed and in law, by the names of the Trustees of such Provincial Seminary, of the name of the Town, Township, Village or place, where the same shall be erected; and shall have perpetual succession and a common seal, with power to change, alter, break or make new the same; and they and their successors, by such name, may sue and be sued, defend and be defended, in all courts whatsoever, in all manner of actions, suits, complaints, matters and causes whatsoever; and also, that they and their successors, by such name, shall be in law capable of purchasing, having and holding, to them and their successors, for the use and benefit of each of the said Seminaries, five acres of land, with the tenements, and hereditaments thereunto appertaining; and also all goods and chattels for the purposes of said stockholders, and for no other purpose whatsoever; and the said Trustees and their successors, or the majority of them, shall have full power to pay and dispose of the revenues, and manage the said estate and affairs of the stockholders in each of the said Seminaries, in such manner as they may judge will best promote the object of the Institution.

7. *And be it enacted, etc.*—That a share in the stock of each of the said Seminaries shall be of the value of——; and each stockholder shall be entitled to a number of votes proportioned to the number of shares which he, she or they, shall hold in his, her or their names, at least three months prior to the time of voting, according to the following ratios, that is to say— one vote for each share not exceeding three; four votes for six shares; five votes for eight shares; six votes for ten shares; and one vote for every five shares over ten; and also that the shares of stock in the said Seminary shall be transferable, and may be, from time to time, transferred by the respective persons so subscribing and afterwards holding the same;

Provided, that such transfer, or transfers, shall be entered in a Book, or Books, kept for that purpose by the Secretary; to which Books, and all other records of the proceedings of the Trustees, every stockholder shall, at all times, have free access.

8. *And be it enacted, etc.*—That it shall be the duty of the Trustees, at every meeting appointed for the election of Trustees, and previous to proceeding to the election, to give an exact and particular statement of the affairs of the said Seminaries to the stockholders then present.

9. *And be it enacted, etc.*—That it shall and may be lawful, at any time, when the Trustees shall wish to call an extra meeting of the stockholders, to give notice as above stated, to take into consideration any further measures connected with the School, or interests of the said Seminaries.

10. *And be it enacted, etc.*—That, in case any vacancy, or vacancies, shall at any time happen, or accrue to the Trustees, Treasurer, Secretary, or other Officers, by death, resignation or removal from the District, the same shall be filled for the remainder of the period of service by such person, or persons, as the majority of the Trustees may appoint.

11. *And be it enacted, etc.*—That it shall not be lawful for any, or either of the said corporations, to hold stock, property or effects, for the purposes aforesaid, to a larger amount than —— pounds.

12. *And be it enacted, etc.*—That, so soon as any Seminary shall be erected and finished in any Town, Township, Village or place, where there shall be resident such number of children as aforesaid, and Trustees elected for the same, the said Trustees shall immediately report the same; designating the place where such Seminary shall have been built, and that the same has been completed according to this Act, and their intention of applying for the annual endowment, and otherwise complying with the provisions of this Act.

13. *And be it enacted, etc.*—That the said Trustees of every such Provincial Seminary shall make an annual report to the Governor, Lieutenant-Governor, or Person administering the Government for the time being, stating the number of children taught, their progress in the different branches; and that the Teachers continue to sustain a good moral character; together with all such other information touching the prosperity of the said Provincial Seminaries as shall be deemed necessary; and if the said Trustees, or any of them, of any such Seminary, shall wilfully make a false Report or Statement, for the purpose of obtaining the Endowment, they shall not only be liable to repay the money if they had received it, but shall also, each one

who may be found guilty of making such Report or Statement for the purpose aforesaid, or of signing the same with such intent, be fined the sum of £——, with costs, to be recovered upon the oath of one, or more credible witnesses, before any two of His Majesty's Justices of the Peace, the same to be levied of the goods and chattels of the offender: and the money, so recovered, shall be paid by the said Justices into the hands of the Receiver-General, to be applied as other moneys for the use of this Province.

14. *And be it enacted*, etc.—That each Seminary so to be erected, as aforesaid, shall be furnished with three or more Teachers—a Principal and two Assistants—one of whom shall be a female, to be appointed as hereinafter mentioned; that the Principal shall be well qualified to teach the classics, mathematics, and the English branches of Education, so as to prepare pupils for any class in College. The female Assistant shall be well qualified to instruct in all the essential branches of female Education, comprising Spelling, Reading, Writing, Arithmetic, English Grammar, Geography, Projecting maps, History and the rudiments of Rhetoric and of Natural and Moral Philosophy. The male Assistant shall be qualified to teach Spelling, Reading, Writing, Arithmetic, English Grammar and Geography, and shall take charge of the smaller children of both sexes in the said Seminary; and also that each Teacher shall have a separate room for his or her class; and the Principal shall have the charge and superintendence of the whole.

15. *And be it enacted*, etc.—That if at any time there should be more pupils in attendance at any one of the said Seminaries than can be well taught, or accommodated, it shall be the duty of the Trustees to decide who shall be taught; but, in all cases, to give the preference to the children of the stockholders of said Seminary.

16. *And be it enacted*, etc.—That no person, either male or female, shall be deemed qualified to hold the situation of Assistant Teacher in the said Seminaries, nor shall the Trustees appoint any, unless he, or she, shall produce satisfactory testimonials of his, or her, good moral character, and shall pass an examination by the Principal of some of the said Seminaries, who shall grant a certificate of such examination, and such certificate shall continue as a license to him, or her, no longer than he, or she, shall sustain a good moral character; and which certificate shall be a sufficient license to the person obtaining the same, to apply for and receive of the Trustees of any Seminary such situation as Assistant.

17. *And be it enacted*, etc.—That the moneys hereby granted for the support of Schools in such Seminaries as shall be built according to the provisions of this Act, shall be paid by the Receiver-General for the time being into the hands of the Treasurer of each Seminary so built, and conducted as hereinafter enacted, in discharge of such warrant, or warrants, as shall, or may, from time to time, be issued by the Governor, Lieutenant-Governor, or Person administering the Government of this Province for the time being, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners to His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors, shall be graciously pleased to direct.

Mr. Alexander Chisholm from the Committee appointed to draft and report a Bill, founded on the Resolution of this House granting a sum of money for the encouragement of Common Schools, presented a draft, which was received and read the first time.

Mr. Charles Duncombe, seconded by Mr. William Bruce, moves, that the Bill be read a second time, and that the 40th Rule be dispensed with for that purpose, so far as relates to the same, which was carried, and the Bill was read the second time. The House was put into Committee of the Whole on the Bill, Mr. John Gilchrist in the chair.

The House having resumed, the Chairman reported that the Committee had gone through the provisions of the Bill, agreed to the same without amendment, and submitted it for the adoption of the House. The Report was received.

March 31st, 1836.—The Master-in-Chancery brought down from the Honourable the Legislative Council a Message, which was read by the Speaker as follows:

MR. SPEAKER:

The Legislative Council has passed the Bill sent up from the Commons House of Assembly, intituled: "An Act to Authorize the Payment to the Treasurer of the District of Ottawa of the Appropriation towards the Support of Common Schools in said District for the years 1835 and 1836," without any amendment.

JOHN B. ROBINSON,
Speaker.

LEGISLATIVE COUNCIL CHAMBER,
31st day of March, 1836.

April 4th, 1836.—Pursuant to the Order of the Day, the Common School Bill was read the third time. On the question for passing the Bill, Mr. Alexander Chisholm, seconded by Mr. James Durand, moves in amendment, that the Bill do not now pass, but that it be recommitted

this day to a Committee of the Whole to amend the same, on which the yeas and nays being taken were as follows : Yeas 27 ; Nays 11. The House was then put into Committee of the Whole on the Bill, Mr. Robert Alway in the chair.

The House having resumed, the Chairman reported that the Committee had made some amendment to the Bill, and submitted it for the adoption of the House. The Report was received.

On the question for the third reading of the Bill to-morrow, Mr. Charles Duncombe, seconded by Mr. William Bruce, moves, in amendment, that the Bill be read a third time this day, and that the 41st Rule of this House be dispensed with, so far as relates to the same, which was carried and so ordered.

Pursuant to the Order of the Day, the Bill to amend the Charter of King's College was read the third time. On the question for passing the Bill, the yeas and nays being taken, were as follows : Yeas 30 ; Nays 4 ; majority 26 ; and the Bill was passed.

Mr. Alexander Chisholm, seconded by Mr. James Durand, moves that the Bill be intituled : "An Act to Amend the Charter of King's College," which was carried. Messieurs Alexander Chisholm and James Durand were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

Pursuant to the Order of the Day, the amendments made to the Common School Bill, were read a third time. On the question for passing the Bill being put,

Mr. Allan N. Macnab, seconded by Mr. Thomas Mackay, moves in amendment, that the Bill do not now pass, but that it be :

Resolved, That a Commission be appointed to examine and report to this House, at the next meeting of the Legislature, on the subject of Education of this Province, and that the Commission consist of the following gentlemen : The Reverend Dr. Harris, the Reverend Alexander Gale, William Warren Baldwin, Esquire, and Doctor Thomas D. Morrison, on which the yeas and nays were taken as follows : Yeas, 4 ; Nays, 40 ; majority against the amendment, 36.

On the question for passing the Bill, the yeas and nays being taken, were as follows : Yeas, 35 ; nays, 10 ; majority, 25 ; and the Bill passed.

Mr. Charles Duncombe, seconded by Mr. Alexander Chisholm, moves that the Bill be intituled : "An Act for the Better Regulation of Common Schools within this Province, and making further Provisions for the same," which was carried, and Messieurs Charles Duncombe and Alexander Chisholm were ordered by the Speaker to carry the Bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

Pursuant to the Order of the Day, the Bill appropriating a sum of money for the support of Common Schools was read a third time. On the question for passing the same, the yeas and nays were taken as follows : Yeas, 34 ; Nays, 1 ; (Mr. Allan N. Macnab) majority, 33 ; and the Bill was passed.

Mr. Alexander Chisholm, seconded by Mr. Jacob Rymal, moves that the Bill be intituled : "An Act to Provide additional Aid in Support of Common Schools in the several Districts in this Province," which was carried, and Messieurs Alexander Chisholm and Jacob Rymal were ordered by the Speaker to carry the same up to the Honourable the Legislative Council, and to request their concurrence thereto.

April 5th, 1836.—Pursuant to the Order of the Day, the School Lands Bill was read the second time. The House was put into Committee of the Whole on the Bill, Mr. William McCrae in the chair.

The House having resumed, the Chairman reported that the Committee had made some progress in the Bill, and asked leave to sit again to-morrow. On the question for receiving the Report Mr. Peter Perry, seconded by Mr. James Wilson, moves in amendment, that the Report be not now received, but that the Bill be referred to the Committee on Education, with leave to report thereon ; on which the yeas and nays were taken as follows : Yeas, 27 ; Nays, 18 ; majority, 9 ; so the Bill was referred.

NOTE.—The Bill for the sale of the Clergy Reserves, passed by the House of Assembly during the last Session of the Legislature, was again passed by the House during this Session of 1836, and sent up for the concurrence of the Legislative Council. It was, on the 22nd of March, sent down by the Council with extensive amendments to it. These amendments were referred by the House of Assembly to a Select Committee, consisting of Messieurs Charles Duncombe,

Thomas D. Morrison, Peter Shaver and Gilbert McMicking. On the 7th of April, 1836, this Committee reported amendments to the amendments of the Legislative Council, and in their Report they recommended :

That the amendments to the Bill be acceded to by your Honourable House, with no other alteration than merely to direct that the proceeds of the said Reserves be appropriated for the purposes of general Education in such a way and manner as to enable all of His Majesty's subjects in this Province, of whatever creed, or order, indiscriminately to participate in the same.

This Report, and the amendments to the Bill, were agreed to by the House of Assembly, and the Bill was again sent up to the Legislative Council, but the amendments which the House of Assembly made to the amendments of the Legislative Council, were not concurred in by the Council, and so that the Bill failed to pass.

April 8th, 1836.—Mr. Speaker reported that the Master-in-Chancery had brought down from the Honourable the Legislative Council, a Message, which was read as follows :

MR. SPEAKER :

The Legislative Council has passed the Bill sent up from the Commons House of Assembly, intituled : "An Act to Provide additional Aid in Support of Common Schools in the several Districts of this Province," without any amendment.

JOHN B. ROBINSON,
Speaker.

LEGISLATIVE COUNCIL CHAMBER,
8th day of April, 1836.

April 9th, 1836.—Mr. Alexander Chisholm, from the Standing Committee on Education, presented a Report, which was received and read as follows :

To the Honourable the Commons House of Assembly :

The Standing Committee on Education have had under their consideration the subject of School Lands in this Province, and, upon a full view of the case, have come to the deliberate conclusion that it is expedient to take immediate steps to carry into effect the proposition of His Majesty to exchange Crown Lands in settled Townships for depreciated School Lands, and that it is important, for that purpose, to appoint a certain number of Commissioners to examine the said Lands, and report on the relative value and situation of the same.

COMMONS HOUSE OF ASSEMBLY,
April 9th, 1836.

ALEXANDER CHISHOLM,
Chairman.

Mr. Peter Perry, seconded by Mr. Peter Shaver, moves, that the House do now resolve itself into a Committee of the Whole, to take into consideration the Report of the Standing Committee on Education, relative to School Lands, and other matters, (*i. e.*, Supply, etc.)

After an amendment to this motion was rejected, the original motion was carried, and the House went into Committee of the Whole accordingly, Mr. William B. Wells in the chair.

The House having resumed, the Chairman reported, that the Committee had agreed to a series of Resolutions, which he was directed to submit for the adoption of the House. The Report was received, and the first Resolution (relating to the exchange of School Lands), was put and carried, as follows :

Resolved, That it is expedient to make provision by law for the remuneration of certain Commissioners, and other persons employed by them, for the purpose of procuring correct information relative to the value and situation of Crown Lands in settled Townships, and also School Lands in the Province, in order to the exchange of the same, agreeably to the proposition of His Majesty, as set forth in his Despatch transmitted to this House by Sir John Colborne, on the 19th of March, 1835. (See page 168 of this Volume.)

April 11th, 1836.—The Committee appointed to report a Bill, in accordance with the foregoing Resolution, reported one appointing Commissioners to investigate and report upon the School Lands, which was read a first time. On the question for the second reading of the Bill to-morrow, it was moved in amendment by Mr. Peter Perry, that the Bill be now read a second time, which was carried, and the Bill was read a second time. The House was then put into Committee of the Whole on the Bill, Mr. James Durand in the chair. The House having resumed, the Chairman reported that the Committee had gone through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. The Report was received, and it was ordered that the Bill be engrossed and read a third time to-morrow.

April 12th, 1836.—On motion of Mr. William L. Mackenzie, it was ordered that one thousand copies of the Message sent down by His Excellency on the 28th ultimo, with the several accounts of receipts and expenditures of King's College, Upper Canada College, and the late General Board of Education, in 1835 and preceding years, be printed for the use of Members. (For a statement of these accounts, see page 325 of this Volume.)

Pursuant to the Order of the Day, the Bill appointing Commissioners to examine and report upon School Lands, etc., was read a third time. On the question for passing the Bill, Mr. John Cook, seconded by Mr. George Rykert, moved that the Bill be recommitted for the purpose of providing for one Commissioner to examine the maps of the several Townships, and to correspond with the other Commissioners as to the goodness and value of the Government Lands lying in their respective Counties. This motion was rejected, and the Bill passed by a vote of 23 yeas to 12 nays.

Mr. Charles Waters moved, seconded by Mr. Thomas Parke, that the Bill be intituled: "An Act authorizing the appointment of Commissioners to examine the Crown and School Lands in this Province, for the purpose of ascertaining what exchange can be profitably made for the benefit of the people of this Province, and for other purposes therein mentioned," which was carried, and that Messieurs Charles Waters and Thomas Parke were ordered by the Speaker to carry the Bill up to the Legislative Council, and to request their concurrence thereto.

PROPOSED LECTURES ON NATURAL PHILOSOPHY, ETC., BY GRAMMAR SCHOOL MASTERS.

Mr. James E. Small, from the Select Committee, to which was referred the Petition of the Reverend D. Macaulay, of the Home District (Grammar) School, presented a Report, which was received and read, as follows:

To the Honourable the Commons House of Assembly:

Your Committee respectfully report:

That it appears from Returns sent down to Your Honourable House from His Excellency the Lieutenant-Governor [on the 28th ultimo, relating to payments made "to Teachers of the Home District (Grammar) School"] that the sum of four hundred and three pounds, nine shillings and one penny half-penny, (£403 9s. 1½d.,) of the annual grant of one hundred pounds per annum, [since 1823,] for the District (Grammar) School in the Home District, remains unexpended. (See page of this Volume.)

And whereas, in the opinion of your Committee, it is desirable to encourage the delivery of Public Lectures upon the Arts and Sciences by the Masters of the several District (Grammar) Schools within this Province, your Committee suggest the propriety of granting to His Majesty the sum of one hundred pounds, (£100,) for each and every District of this Province, to be paid to the Trustees of the several District (Grammar) Schools, so soon as the Governor, or Person administering the Government, shall be satisfied, by the Board of Education, that the Master of such (District) Grammar School is capable of, and desirous to deliver lectures, illustrating the principles of Natural Philosophy; provided that no District (Grammar) School should be entitled to the said sum of one hundred pounds, (£100,) for the purpose aforesaid, unless it contained at least twenty scholars.

JAMES E. SMALL,
Chairman.

COMMITTEE ROOM, HOUSE OF ASSEMBLY,
12th of April, 1836.

Mr. James E. Small, seconded by Mr. Thomas D. Morrison, moves that the Report of the Select Committee upon the Petition of the Reverend D. Macaulay be referred to a Committee of the Whole House forthwith.

In amendment, Mr. William L. Mackenzie, seconded by Mr. James Wilson, moves that so much of the original resolve, as has reference to the referring of the Report of the Reverend D. Macaulay be expunged, which motion was carried by a vote of 19 yeas to 17 nays; so the original motion to refer the Report to a Committee of the Whole House was lost.

April 16th, 1836.—Mr. Solicitor-General Hagerman, from the Committee on the Petition of Thomas Markland, Esquire, (presented to the House on the 20th of January, 1836, and referred to a Committee on the 22nd of the same month,) informed the House that the Committee had agreed to report by Bill, a draft of which he was ready to submit whenever the House would be pleased to receive the same. The Report was received, and the Bill was read a first and second time. The House then went into Committee of the Whole on the Bill, Mr. John A. Wilkinson in the chair. The House having resumed, the Chairman reported that the Committee had gone

through the provisions of the Bill, amended the same, and submitted it for the adoption of the House. The Report was received ; and it was ordered that the foregoing Midland District School Society Bill be engrossed and read a third time on Monday next.

April 19th, 1836.—Pursuant to the Order of the Day, the Midland District School Society Bill was read the third time and passed.

Mr. Solicitor-General Hagerman, seconded by Mr. David Gibson, moves that the Bill be intituled : "An Act to Amend and Extend the Provisions of an Act passed the fifty-fifth year of the Reign of George the Third (1815), intituled : "An Act to Incorporate the Midland District School Society,"" (Page 92 of the First Volume of this Documentary History,) which was carried, and Messieurs David Gibson and the Solicitor-General (Hagerman) were ordered by the Speaker to carry the Bill up to the Honourable the Legislative Council, and to request their concurrence thereto.

2. EDUCATIONAL PROCEEDINGS OF THE LEGISLATIVE COUNCIL, 1836.*

On the 14th of January, 1836, His Excellency Sir John Colborne, Lieutenant-Governor, opened the second session of the Twelfth Parliament of Upper Canada with the usual Speech from the Throne. (See page 278 of this Volume.)

January 19th, 1836.—Pursuant to the Order of the Day, the Address of this House to the Lieutenant-Governor, in answer to His Excellency's Speech at the opening of the Session, was read a third time, and passed. That part of it relating to Education is as follows :

We shall not fail to apply our attention to the foundation and support of Township Schools as we have hitherto done, and contributed, so far as depends upon this House, to the adoption of measures for rendering the School Lands available, which have been for some time subjected to the control of the Legislature.

We thank Your Excellency for your intention of communicating to us by Message the modification which Your Excellency had submitted to His Majesty's Government of the Charter for King's College, and shall be gratified if the arrangements proposed for the opening of the University shall be such as may receive our concurrence.

February 8th, 1836.—Pursuant to the Order of the Day, the Petition of Mr. Walter C. Crofton, an others, Trustees of the District (Grammar) School of the District of Newcastle, praying for aid, was read.

February 15th, 1836.—Pursuant to the Order of the Day, the Petition of Mr. George Hamilton and others, Teachers and Trustees of the Common Schools in the District of Ottawa, praying for an amendment of the Law, so as to authorize the payment of moneys appropriated for the support of Common Schools, in cases where any District Treasurer shall have neglected, or refused, to render his accounts, according to law, and who may have been removed from office by the Magistrates of the District, was read.

The Honourable James Crooks brought up the Petition of the Reverend Thomas Creen, and others, Trustees of the Niagara District (Grammar) School, which was laid on the Table.

February 18th, 1836.—Pursuant to the Order of the Day, the Petition of the Reverend Thomas Creen, and others, Trustees of the Niagara District (Grammar) School praying that provision may be made for the erection of suitable Buildings for the said District (Grammar) School ; for advancing the allowance of the Teacher thereof ; providing for the salary of two Assistants, and granting thirty pounds, (£30,) annually, for the purchase of Scientific Apparatus, was read.

February 25th, 1836.—The Honourable the Speaker reported to the House, that a deputation from the Commons House of Assembly, had brought up a Bill intituled : "An Act for the Disposal of the Clergy Reserves in this Province, for the purposes of General Education," to which they requested the concurrence of this House. The said Bill was then read a first time, and it was ordered that the same be read a second time to-morrow.

February 26th, 1836.—Pursuant to the Order of the Day, the Bill intituled, "An Act for the Disposal of the Clergy Reserves in this Province, for the Purpose of General Education ;" was read a second time ; and it was ordered that the House be put into a Committee of the Whole on Tuesday next, to take the same into consideration.

* The following gentlemen were called to the Legislative Council during its session in 1836 : Messieurs William Morris, John Macaulay and Philip Vankoughnet. The first and last named gentlemen were formerly members of the House of Assembly.

A Message from His Excellency the Lieutenant was delivered by Mr. Secretary Joseph, who being retired, the Speaker read the same, as follows :

F. B. HEAD :

The Lieutenant-Governor transmits to the Legislative Council such Reports of Trustees of District (Grammar) Schools, and of Boards of Education, as have been received for the year 1835.

F. B. H.

GOVERNMENT HOUSE,
25th February, 1836.

March 11th, 1836.—The Honourable William Morris, from the Select Committee to whom was referred the Bill sent up from the Commons House of Assembly, intituled : “ An Act for the Disposal of the Clergy Reserves in this Province, for the Purpose of General Education ;” reported an amendment in and to the same.

NOTE.—This amendment made no reference to Education, or to the application of the proceeds of the sales of the Clergy Reserves to Education.

March 26th, 1836.—A deputation from the Commons House of Assembly brought up a Bill intituled : “ An Act to Authorize the Payment to the Treasurer of the District of Ottawa, of the Appropriation towards the Support of Common Schools in said District, for the years 1835 and 1836 ;” to which they requested the concurrence of this House, and then withdrew. The said Bill was then read ; and it was ordered that it be read a second time on Monday next.

March 29th, 1836.—Pursuant to the Order of the Day, the Bill intituled : “ An Act to Authorize the Payment to the Treasurer of the District of Ottawa, of the Appropriation Towards the Support of Common Schools in the said District, for the years 1835 and 1836,” was read a second time ; and it was ordered, that the House be put into a Committee of the Whole to-morrow, to take the same into consideration.

Pursuant to the Order of the Day the Petition of Mr. Robert Fennell, and others, inhabitants of the Town of London, and its vicinity, presented to the House on the 25th instant, praying for the removal of the District School from Vittoria to London, or to grant a salary to a Classical and Mathematical Teacher, in London, was read.

March 30th, 1836.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill, intituled : “ An Act to Authorize the Payment to the Treasurer of the District of Ottawa, of the Appropriation Towards the Support of Common Schools in said District, for the years 1835 and 1836.” The Honourable Water Boswell took the chair. After some time the House resumed, and the Chairman reported, that the Committee had gone through the said Bill, and recommended the same without amendment to the adoption of the House. It was ordered that the Report be received, and, also, that the said Bill be read a third time to-morrow.

March 31st, 1836.—Pursuant to the Order of the Day, the Bill intituled : “ An Act to Authorize the Payment to the Treasurer of the District of Ottawa, of the Appropriation Towards the Support of Common Schools in said District, for the years 1835 and 1836,” was read a third time and passed. Whereupon the Speaker signed the same ; and it was ordered, that the Master-in-Chancery do go down to the Assembly, and acquaint that House that the Legislative Council has passed this Bill without amendment.

April 5th, 1836.—A deputation from the Commons House of Assembly brought up a Bill intituled : “ An Act to Provide Additional Aid in Support of Common Schools in the Several Districts of this Province ;” also a Bill intituled : “ An Act for the Better Regulation of Common Schools within this Province, and making Further Provision for the same ;” to which they request the concurrence of this House. The said Bills were then read a first time, and it was ordered, that the same be read a second time to-morrow.

The Honourable the Speaker reported to the House, that a deputation from the Commons House of Assembly had brought up a Bill intituled : “ An Act to Amend the Charter of King’s College,” to which they request the concurrence of this House. The said Bill was then read a first time, and it was ordered that the same be read a second time to-morrow.

April 6th, 1836.—Pursuant to the Order of the Day, the Bill intituled : “ An Act to Provide Additional Aid in Support of Common Schools in the Several Districts of this Province ;” and also the Bill intituled : “ An Act to Amend the Charter of King’s College,” were each read a second time, and it was ordered, that the House be put into Committee of the Whole to-morrow, to take the same into consideration.

Pursuant to the Order of the Day, the Bill intituled : "An Act for the Better Regulation of Common Schools within this Province, and making Further Provisions for the same," was read a second time, and it was ordered, that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment, or otherwise ; it was further ordered, that the Honourable Messieurs William Morris and John Macaulay do compose the same for that purpose.

April 7th, 1836.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill intituled : "An Act to Provide Additional Aid in Support of Common Schools in the Several Districts of this Province." The Honourable William Allan took the chair. After some time the House resumed, and the Chairman reported, that the Committee had gone through the said Bill, and recommended the same without amendment to the adoption of the House. It was ordered that the Report be received ; it was also ordered that the said Bill be read a third time to-morrow.

Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill intituled : "An Act to Amend the Charter of King's College." The Honourable John Elmsley took the chair. After some time the House resumed, and the Chairman reported that the Committee had taken the said Bill into consideration, and had recommended that it be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment or otherwise. It was ordered that the Report be received ; it was also ordered, that the said Bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment, or otherwise ; and it was further ordered, that the Honourable Messieurs William Dickson, William Morris, and John Macaulay do compose the same for that purpose.

April 12th, 1836.—A deputation from the Commons House of Assembly brought up a Bill, intituled : "An Act Authorizing the Appointment of Commissioners to Examine the School and Crown Lands in this Province, for the Purpose of Ascertaining what Exchange can be profitably made for the Benefit of the People of this Province, and for other purposes therein mentioned," to which they request the concurrence of this House, and then withdrew ; the said Bill was then read, and it was ordered, that it be read a second time to-morrow.

April 13th, 1836.—Pursuant to the Order of the Day, the Bill intituled : "An Act to Authorizing the Appointment of Commissioners to Examine the School and Crown Lands in this Province, for the Purpose of Ascertaining what Exchange can be profitably made for the Benefit of the People of this Province, and for other purposes therein mentioned," was read a second time ; and it was ordered, that the House be put into Committees of the Whole to-morrow, to take the same into consideration.

April 14th, 1836.—Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill intituled : "An Act Authorizing the Appointment of Commissioners to Examine the School and Crown Lands in this Province, for the Purpose of Ascertaining what Exchange can be profitably made for the Benefit of the People of this Province, and for other purposes therein mentioned." The Honourable Walter Boswell took the chair. After some time the House resumed, and the Chairman reported, that the Committee had taken the said Bill into consideration, had made some progress therein, and recommended that the same be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment, or otherwise. It was ordered, that the Report be received ; it was also ordered, that the said Bill be referred to a Select Committee, with power to send for persons and papers, and to report thereon by amendment, or otherwise ; and it was further ordered that the Honourable Messieurs John Elmsley, William Morris, and Philip Vankoughnet, do compose the same for that purpose.

April 15th, 1836.—On motion made and seconded, it was ordered that the Honourable and Venerable the Archdeacon of York be added to the Select Committee to whom was referred the Bill intituled : "An Act to Amend the Charter of King's College."

April 19th, 1836.—A deputation from the Commons House of Assembly brought up a Bill intituled : "An Act to Amend and Extend the Provisions of an Act passed in the fifty-fifth year of the Reign of George the Third (1815) intituled : 'An Act to Incorporate the Midland District School Society ;'" to which they requested the concurrence of this House, and then withdrew. The Bill was then read a first time ; and it was ordered, that the same be referred to a Select Committee, to report thereon by amendment, or otherwise ; and that the Honourable Messieurs John Macaulay and Philip Vankoughnet do compose the same for that purpose.

Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Report of the Select Committee instructed to consider a certain Address of the House of Assembly to the King, complaining of the rejection by the Legislative Council of various Bills. The Honourable John Elmsley took the chair. After some time the House resumed, and the Chairman reported that the Committee had gone through the said Report of the Select

Committee, and recommended the same to the adoption of the House. It was ordered that the Report be received ; and it was also ordered that the said Report of the Select Committee be adopted ; it was further ordered that a Select Committee be appointed to prepare an Address to the King founded thereon ; that the Honourable Messieurs William Morris, John Macaulay, and Philip Vankoughnet do compose the same for that purpose.

The Honourable John Elmsley, from the Select Committee, to whom was referred the Bill intituled : " An Act Authorizing the Appointment of Commissioners to Examine the School and Crown Lands in this Province, for the Purpose of Ascertaining what Exchange can be profitably made for the Benefit of the People of this Province, and for other purposes therein mentioned," presented their Report. It was ordered that it be received ; and the same was then read by the Clerk as follows :

To the Honourable the Legislative Council :

The Select Committee to whom was referred the Bill sent up from the Assembly, intituled : " An Act Authorizing the Appointment of Commissioners to Examine the School and Crown Lands in this Province, for the Purpose of Ascertaining what Exchange can be profitably made for the Benefit of the People of this Province, and for other purposes therein mentioned," respectfully report :

That, by reference to the Journals of the House of Assembly, it appears that on the 19th day of March, 1835, His Excellency the Lieutenant-Governor was pleased to send down a Message, acquainting that House that, out of the original grant for the advancement of Education there remains disposable about two hundred and forty thousand, (240,000,) acres, not being advantageously situated, and that he was authorized by the Secretary of State for the Colonies, if the House of Assembly should wish it, to select this number of acres from the settled Townships, and to resume to the Crown, in lieu of them, as much as is unalienated of the School Townships.

To avail of this liberal offer is the intention of this Bill ; and your Committee recommend that your Honourable House should concur therein, except as respects the names of the Commissioners, who should be, in the opinion of your Committee, other than Members of the Legislature.

All of which is respectfully submitted.

LEGISLATIVE COUNCIL COMMITTEE ROOM,
April 19th, 1836.

JOHN ELMSLEY,
Chairman.

On motion made and seconded, it was ordered that, on to-morrow, the House be again put into a Committee of the Whole upon the last-mentioned Bill, and the Report of the Select Committee thereon.

The Honourable William Morris, from the Select Committee appointed to prepare an Address to His Majesty, founded on the Report of a Select Committee of this House, relative to a certain complaint preferred to the King by the House of Assembly, respecting the rejection by the Legislative Council of various bills, reported a draft thereof, which he read in his place. It was ordered, that the Report be received ; and the draft was then again read by the Clerk ; when it was ordered, that the said Address be engrossed, and read a third time presently. The same was then read a third time accordingly, and passed. Whereupon the Speaker signed the Address.

On motion made and seconded, it was ordered, that two thousand copies of the last mentioned Address be printed, in pamphlet form, and that an additional one thousand copies of the Report of the Select Committee upon the same subject, be printed along with the said Address, for the use of Members.

On motion, made and seconded, it was ordered that an Address be presented to His Excellency the Lieutenant-Governor, respectfully requesting him to be pleased to cause the Address of this House to the King, to be laid at the foot of the Throne ; it was also ordered that the Honourable Messieurs William Morris and Philip Vankoughnet, be appointed a Committee to draft an Address for that purpose, and to present the same. The following is the

REPORT OF THE LEGISLATIVE COUNCIL ON THE ALLEGED REJECTED BILLS.

NOTE.—The Address itself does not specify any of the Bills sent up from the House of Assembly, which were not concurred in by the Legislative Council. But the Report on the subject goes into detail.

To the Honourable the Legislative Council :

The Select Committee to whom was referred, . . . with instructions to report thereon, the subject matter of an Address to His Majesty, passed by the House of Assembly in the last Session, (1835, page 184 of this Volume,) complaining of the rejection of certain Bills by the Legislative Council, beg leave to report :

. . . the Address of the House of Assembly represents that their exertions in a long and arduous Session were rendered unavailing, with respect to various objects of great interest, by the Legislative Council having rejected their Bills; and they specify the following Bills (among others,) as so rejected : . . .

5. An Act to Promote Education ;

6. An Act to amend the Charter of King's College ;

7. An Act for the Disposal of the Clergy Reserves in this Province, for the Purposes of Education.

By turning to the Journals of the two Houses, it will be seen that of eighty-five Bills passed by the House of Assembly in 1835, the Legislative Council discussed and decided upon eighty-one,—adopting, rejecting, or amending them, after consideration and debate ; the four which were not thus disposed of having probably not been four hours in possession of the Council, (before prorogation.)

On the other hand, of ten Bills passed by the Legislative Council and sent to the House of Assembly, six received no notice whatever, and were neither discussed nor moved in ; two were rejected and two passed.

Of the eighty-five Bills sent to the Legislative Council, forty-six came up within the last fourteen days of the Session ; while of the ten Bills sent down from the Legislative Council, there was not one that was not twenty-eight days in the possession of the House of Assembly.

Bill Number Five : An Act to Promote Education. . . .

NOTE.—The reasons which induced the Legislative Council to reject this Bill are given in full on pages 197, 198 of this Volume. The Report of the Legislative Council proceeds as follows :

Bill Number Six : In regard to Bill No. 6, for making void the Charter granted by His Majesty to King's College, and making other provisions for the establishment of the University.

A careful examination of the Bill will show how far its provisions are “in conformity with His Majesty's gracious Instructions,” as the Address asserts, and how far also they are consistent with opinions formerly expressed by the House of Assembly. The 6th, 7th, 9th, 13th, 16th, 20th, 21st, 25th, 26th, 28th, and 29th clauses are to be referred to, and carefully considered by anyone who desires to form an opinion upon the propriety of passing such a Bill. If there is in any country an University resting upon principles similar to those which this Bill would establish, it is not known to the Committee, and every one can decide for himself the speculative question, how far it would tend to promote the interests of Science, to advance religion, morality, and social order, and to maintain discipline within the University, and how far it would be likely to add to the harmony and good understanding between the Government and the Legislature, to have an University of which the principal officers should be appointed and removed by the votes of Legislative Assemblies, and of which the interests and affairs must in consequence, become mixed up with party politics and dissensions—a University of which the Directors are to choose not only the President but the Visitor, that is the Superior, by whom they are themselves controlled, and in which above all, as it is expressly declared, “Religion shall not be taught according to the Creed or Faith of any Christian Church.”

In regard to Bill No. 9, rejected by the Legislative Council : The Schools or Academies to which the Bill referred are incorporated, and the nature of them will appear on turning to the Provincial Statutes of 1830, chapter 13, and of 1834, chapter 33. It will be seen that these are Schools subject to no public government or control, either as to appointment of Teachers, the subjects to be taught, or the books to be used ; and there is no responsibility to any of the public boards or authorities connected with Education.

The resources of the Crown, and of the Province have been appropriated with great liberality towards the supporting an University, a College, a Grammar School in each one of the twelve Districts, and numerous Common Schools in the several Townships—all these are amenable to public regulation.

If the Legislature could devote to Education ten times the amount they now apply, it would be happy for the country, but it is to be presumed that they would always think it proper to dispense their aid through the regular channels, and that public superintendence and assistance would go together.

This Bill would have commenced a new system, of which the end could not be foreseen.

The exertion made to erect and maintain these two Schools or Academies, was creditable to the founders; but any number of persons making similar exertions would have the same right to expect similar grants. These would all diminish the ability of the Legislature to promote Education systematically; and if any such applications should be refused, the rejection might be ascribed to religious prejudices, or to local preferences, or to other causes tending to excite jealousies and suspicions; and cases might indeed arise when it would be proper to refuse a public grant, but when the refusal must nevertheless seem ungracious, and might give rise to misconception and ill will.

WILLIAM ALLAN,
Chairman.

LEGISLATIVE COUNCIL COMMITTEE ROOM,
18th April, 1836.

April 19th, 1836.—The Honourable John Macaulay, from the Select Committee to whom was referred the Bill intituled : “An Act for the Better Regulation of Common Schools within this Province, and making Further Provisions for the same,” presented their Report. It was ordered that the Report be received; and, the same was then read by the Clerk as follows :

To the Honourable the Legislative Council :

Your Committee, to whom was referred the Bill sent up by the Commons House of Assembly, for the establishment of Common Schools, respectfully report :

That at this advanced period of the Session it was found impossible to give the principle and details of the proposed measure that consideration which their importance demands; nevertheless, from tolerably accurate inspection, your Committee arrived at the conclusion, that the change proposed goes too far, and the machinery by which the provisions of the Bill are to be carried into operation, appear much too complicated for our scattered population.

The measure was to be nearly, if not altogether, a transcript of the School Law now in operation in the neighbouring State of New York, and requires an appropriation to give it full efficacy, which the state of the Provincial Revenue cannot afford.

Without entering into a particular examination of the details, your Committee are of opinion, that the present law for the establishment of Common Schools might be so modified and amended, as better to meet the wants of the Colony, and, at the same time be more in accordance with the principles of our free Constitution, were provisions made for the subdivision of Townships into School Districts, for establishing the School Houses on permanent sites, with a residence and garden for a Teacher, provision for the education of poor children, and an assessment levied upon each District in support of the Schools within the same, equal to the allowance given by Government*; nothing more seems to be required.

Such alterations and additions, grafted on the present law, would make it a useful measure, and it would retain the advantage of being familiarly known to the people, for twenty years, as the improvements suggested do not render it in any degree more complex.

Your Committee would further recommend an Address to the Imperial Government for a grant of land in aid of Common Schools, as the School Lands already bestowed belong to the District (Grammar) Schools and the University, for the support of which they were expressly granted.

Had the time permitted, your Committee might have attempted to report a Bill, in accordance with their views, but it must now be postponed till next Session.

All which is respectfully submitted.

JOHN MACAULAY,
Chairman.

LEGISLATIVE COUNCIL COMMITTEE ROOM,
19th day of April, 1836.

Ordered, that the last-mentioned Report of the Select Committee on the School Bill be adopted.

The Honourable John Macaulay, from the Select Committee to whom was referred the Bill intituled : “An Act to Amend and Extend the Provisions of an Act passed in the fifty-fifth

*Here again the principle of free Schools is asserted and advocated. See also page 141 of this Volume.

year of the Reign of George the Third, (1815,) intituled : 'An Act to Incorporate the Midland District School Society,' presented their Report, and it was ordered, that it be received ; and the same was then read by the Clerk, as follows :

To the Honourable the Legislative Council :

The Select Committee to which has been referred the Bill intituled : "An Act to amend and extend the provisions of an Act passed in the fifty-fifth year of the Reign of George the Third (1815), intituled : 'An Act to incorporate the Midland District School Society,'" beg leave to report :

That they have examined this Bill, as well as the Act which it proposes to amend.

It is within the knowledge of your Committee, that the Officers of the Midland District School Society have long endeavoured to obtain the alterations in their Charter, which this Bill will effect, and that they are absolutely required in order to render their Institution as efficient and useful as its benevolent founders desire that it should be.

Your Committee, therefore, recommend the Bill for the adoption of the House.

JOHN MACAULAY,
Chairman.

LEGISLATIVE COUNCIL COMMITTEE ROOM,
19th April, 1836.

On motion made and seconded, it was ordered, that on to-morrow the House be put into a Committee of the Whole upon the last mentioned Bill, and the Report of the Select Committee thereon.

The Honourable William Morris, from the Select Committee appointed to prepare an Address to His Excellency the Lieutenant-Governor, requested him to be pleased to cause to be laid at the foot of the Throne the Address of this House to the King, relative to a certain complaint preferred to His Majesty by the House of Assembly, respecting the rejection of various Bills by the Legislative Council ; reported a draft thereof, which he read in his place ; and the same was again read by the Clerk and adopted ; and it was ordered that the same Address be engrossed and read a third time this day. The same was then read a third time accordingly and passed ; whereupon the Speaker signed the Address ; and it is as follows :

To His Excellency Sir F. B. Head, K. C. H., Lieut.-Governor of the Province of Upper Canada, etc. :

MAY IT PLEASE YOUR EXCELLENCY :

We, His Majesty's most dutiful and loyal subjects, the Legislative Council of the Province of Upper Canada, in Provincial Parliament assembled, humbly beg leave to acquaint Your Excellency that we have passed an Address to His Majesty on the subject of a representation made by the House of Assembly to His Majesty during the late Session of the Legislature against the Legislative Council for not having passed certain Bills, which, together with the accompanying Report, we respectfully request Your Excellency may be pleased to transmit to His Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the Throne.

JOHN B. ROBINSON,
Speaker.

LEGISLATIVE COUNCIL CHAMBER,
19th April, 1836.

20th April, 1836.—The Honourable William Morris, from the Select Committee appointed to present this Address to His Excellency the Lieutenant-Governor, reported that they had done so, and that His Excellency had been pleased to make thereto the following reply :

GENTLEMEN :

I will transmit your Address to His Majesty, with the accompanying Report, to the Secretary of State for the Colonies, to be laid at the foot of the Throne.

F. B. H.

GOVERNMENT HOUSE,
20th April, 1836.

Pursuant to the Order of the Day, the House was put into a Committee of the Whole upon the Bill intituled : "An Act to Amend and Extend the Provisions of an Act passed in the fifty-fifth year of the Reign of George the Third (1815), intituled : 'An Act to Incorporate the Midland District School Society,'" and the Report of the Select Committee thereon. The Honourable John Macaulay took the chair. After some time the House resumed, and thus the Bill was dropped.

The Honourable John Macaulay, from the Select Committee to whom was referred the Bill intituled : "An Act to Amend the Charter of King's College," presented their Report, and it was ordered, that it be received ; and the same was then read by the Clerk as follows :

To the Honourable the Legislative Council :

The Committee, to whom was referred the Bill sent up from the Commons House of Assembly, to Amend the Charter of King's College, most respectfully Report :

That they have carefully examined the Bill, and find it to be an exact transcript of the one sent up to your Honourable House last year by the Commons House of Assembly, and which, after mature deliberation, was unanimously rejected.

On ascertaining this fact, your Committee would have felt justified in proceeding no farther ; but, deeply sensible of the injury done to this populous Colony, by deferring the establishment of a University, capable of instructing the youth in the higher branches of Literature and Science, they were anxious to enquire whether such modifications of the Charter might not be devised as to meet the wishes of both branches of the Legislature, and admit of its going into operation.

With this view, the attention of your Committee was drawn to certain Resolutions adopted by the Commons House of Assembly in 1829,* proposing such alterations in the Charter as were deemed requisite for perfecting the University, and rendering it the most efficient Seminary on this Continent ; and, on examining these Resolutions, which were supposed to comprise all the objections that could, with reason, be made against the Charter, and all the changes deemed necessary, your Committee was prepared to recommend their adoption, in as far as they are consistent with the preservation of the University as a Royal Institution, and the power and dignity which the Charter confers, as emanating from the King, and which can be conferred in no other way, being well assured that any alterations which would put these advantages in jeopardy, would be purchased at too high a price.

Your Committee, in order to reconcile all interests, in addition to the modifications already noticed, feel inclined to propose that a Professor of Divinity of the Church of Scotland, to be recommended by the Synod of the Canadas, should be placed on the foundation of the University ; but, on referring to the Bill, they find that it is impossible to reconcile these salutary amendments with its enactments, for they totally subvert the Royal Charter, and instead of establishing a tranquil Seminary of Education, carefully separated from the bustle and business of the world, and more especially from the strife and agitation which so frequently attend discussions on the public affairs of the Province, they would render the University of King's College an arena of public excitement. That this language is more than borne out will appear from a very brief notice of some of the details of the Bill.

Although His Majesty has been graciously pleased to become the Founder and Patron of the University of King's College—has granted it a munificent endowment—and conferred upon it the most valuable privileges, some of which extend their benefits through the whole British Empire and its Dependencies—this Bill goes to deprive the King of all power and authority in his own University, and to reduce it to a Provincial Institution, which has no advantage or influence beyond the Colony ; and what is still more pernicious and unprecedented, places it under the sole direction and authority of the Legislature, by which it becomes liable to be wholly changed, or subverted at the expiration of every four years.

By the sixth section of the Bill it is provided, “ that there shall be within the said College, in the place and stead of the Council in the said Charter mentioned, a Council to be called and known by the name of the Council of King's College, which Council shall consist of twelve persons ; one half of the number of which persons shall be nominated by the Legislative Council, and the other half by the House of Assembly, which persons, so nominated, shall be certified by the respective Houses to the Governor, Lieutenant-Governor, or Person administering the Government for the time being, and shall hold their office for four years from the day of such nomination, and thence until the next Session of the Provincial Parliament, and no longer.”

Now it is respectfully submitted that such a mode of nomination is not only unconstitutional, but altogether subversive of the principles upon which Seminaries for the instruction of youth ought to rest. By this section of the Act everything is changeable, and nothing permanent. The Council, being removable every four years, one-half by the Commons House of Assembly, and one-half by the Legislative Council, it would partake of all the changes and agitations of the Legislature, and these, through the Council, would be infused into the University. There is no precedent in any country where the Legislature virtually directs the internal government of Colleges, or interferes in their economy—they are left to the guidance of their own faculties, acting under the Charters and privileges conferred upon them, subject to correction should they err, from occasional visitations appointed by their founders, or the force of public opinion. But, by the enactments proposed in this Bill, such an intimate connection is created between the University of King's College and the Legislature, as to form nearly a complete incorporation.

*See page 274 of the First Volume of this Documentary History.

By section eight of the Bill it is provided, that no meeting of the Council shall be taken or held to be a lawful meeting thereof—nor any question be taken, except to adjourn, unless nine members at the least be present; and that all questions and resolutions proposed for the decision of such College Council shall be determined by the majority of the members of the Council present, including the vote of the presiding member, and that, in the event of an equal division of such votes, the member presiding at any such meeting shall give an additional or casting vote.

Nothing can be more evident than that the enactment in this section would greatly impede the business of the University—for it can scarcely be expected that nine members out of twelve could be readily assembled at all times when required, or, that the wants and contingencies of an extensive Seminary, which are continually multiplying, can be adequately provided for by a Council which is to sit, as ordained in the twentieth section of the Bill, only two weeks in the year.

By section twenty-six, Christianity appears proscribed with a virulence not unworthy of Doclesian. There is only one attempt on record in a Christian country, and that a very recent one, of establishing a University on the principle that everything connected with the Christian faith shall be excluded. This consequence is said to result from the circumstance that the London University was established by subscription. The Directors are indeed forced to confess that religious instruction, or the formation of Christian principles, is the great and primary object of Education, and that it is an object far too important to compromise—but they shelter themselves under the pretence that the London University is intended for the education of youth in the metropolis, and, as it is presumed, living with their parents, who are expected to attend to this most important part of their education. Without admitting the force of this reason, it is sufficient to remark that it totally fails in its application to King's College; because it is obvious that instruction is here to be dispensed to youth collected from all parts of a very extensive country, and of whom the great majority will be wholly removed from the authority and superintendence of their parents—and it may be confidently affirmed that the inhabitants of this Province are not prepared to approve of an Institution for the education of their children from which religion is altogether excluded. There is not a College or University either in Europe or America, or indeed in any part of the world (even not excepting the London University, which has been forced to provide in some degree for religious instruction), without a religious character. Your Committee might refer to several other sections of the Bill highly objectionable; but these already noticed are, it is hoped, sufficient to prove that it is impossible for your Honourable House to entertain the Bill in its present shape.

Your Committee feel great satisfaction in stating that a copy of the Charter of the University of King's College has been presented to them for inspection, so modified by the late Chancellor and College Council, as to embrace everything really useful and appropriate contained in the Resolutions of the Commons House of Assembly already alluded to,* and had the Session not been so near its close, your Committee would have recommended this modified Charter, with one or two additions, to the favourable consideration of your Honourable House; but as the prorogation takes place so soon, they can only recommend that the subject be resumed at an early period of the next Session.

LEGISLATIVE COUNCIL COMMITTEE ROOM,
19th day of April, 1836.

WILLIAM DICKSON,
Chairman.

April 20th, 1836.—His Excellency the Lieutenant-Governor, having had the Members of the House of Assembly summoned to the Legislative Council Chamber, was pleased to assent to several Bills in His Majesty's name. The following he reserved for the signification thereon of His Majesty's pleasure, videlicet:

"An Act to Authorize the Payment to the Treasurer of the District of Ottawa of the Appropriation towards the Support of Common Schools in said District for the years 1835 and 1836."

"An Act to Provide Additional Support of Common Schools in the several Districts in this Province."

In closing this Session of the Legislature, the Lieutenant-Governor did not, in his discursive Speech, refer to the subject of Education, or Schools, but only to his personal relations with the two Houses.

*It is possible that this may refer to the amended Charter which, it is assumed, that Sir John Colborne suggested for the adoption of Lord Glenelg, and which is published *in extenso* on page 216 of this Volume.

ROYAL ASSENT GIVEN TO THE RESERVED SCHOOL BILLS.

The following are the copies of the School Bills which Sir Francis Bond Head "reserved for the significance of His Majesty's pleasure thereon":

6TH WILLIAM IV., CHAPTER LI.

AN ACT TO AUTHORIZE THE PAYMENT TO THE TREASURER OF THE DISTRICT OF OTTAWA OF THE APPROPRIATION TOWARDS THE SUPPORT OF COMMON SCHOOLS IN SAID DISTRICT FOR THE YEARS 1835 AND 1836.

Sir Francis Bond Head, Lieutenant-Governor.

[Passed by the Upper Canada Legislature on the 20th of April, 1836. Royal Assent given by Message from the Lieutenant-Governor to the Legislature 28th November, 1836.]

MOST GRACIOUS SOVEREIGN :

Whereas in consequence of the omission of the Treasurer of the District of Preamble. Ottawa to render an account of the sums heretofore advanced on account of that District for the use of Common Schools therein, no further sum can, by law, be paid to the said District of Ottawa, for the support of Common Schools within the same And whereas it is expedient to relieve the said District of Ottawa from the difficulty aforesaid ; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great Britain, entitled, "An Act Act 14 George III., recited. to repeal certain parts of an Act passed in the fourteenth year of His Majesty's reign entitled 'An Act for making more effectual provision for the Government of the Province of Quebec, in North America, and to make further provision for the Government of the said Province,' " and by the authority of the same, That the 5th clause of the fifth clause of the Act passed in the sixtieth year of the reign of our late Sovereign 60 George III. repealed. Lord King George the Third, entitled "An Act to amend and continue, under certain modifications an Act passed in the fifty-sixth year of His Majesty's reign entitled 'An Act granting to His Majesty a sum of money to be applied to the use of Common Schools throughout this Province, and to provide for the Regulation of the said Common Schools,' " be repealed so far as to authorize the Governor, Lieutenant-Governor or person administering the Government of this Province, to Limitation of issue his Warrant on the Receiver-General of this Province, in favor of the Treasurer of the said District for such sum as for the years of our Lord One Thousand Eight Hundred and Thirty-five and One Thousand Eight Hundred and Thirty-six, the said District of Ottawa would be entitled to receive for the support of Common Schools therein, if the Treasurer of the said District had accounted for the sums of money heretofore advanced for that object ; Provided always, that no sum shall be advanced after the expiration of the said year, One Thousand Eight Hundred and Thirty-six, unless the Treasurer of the District shall duly account for the money to Condition of be advanced as aforesaid, under and by virtue of the provisions in this Act con- grant. tained.

6TH WILLIAM IV., CHAPTER LII.

AN ACT TO PROVIDE ADDITIONAL AID IN SUPPORT OF COMMON SCHOOLS IN THE SEVERAL DISTRICTS OF THIS PROVINCE.

Sir Francis Bond Head, Lieutenant-Governor.

[Passed by the Upper Canada Legislature on the 20th of April, 1836. Royal Assent given by Message from the Lieutenant-Governor to the Legislature on the 28th of November, 1836.]

MOST GRACIOUS SOVEREIGN :

Preamble.

Act 14
George III.
cited.

Whereas it is expedient to grant a sum of money for the support of Common Schools in the several Districts of this Province ; may it please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada, constituted and assembled by virtue of and under authority of an Act passed in the Parliament of Great Britain, entitled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, entitled : 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,' " and by authority of the same.

£5,650 in
1836.

Additional
grant to
Common
Schools.

Grants to
various Dis-
tricts :
Ottawa,
Eastern,
Johnstown,
Bathurst,
Midland,
Prince
Edward,
Newcastle,
Home, Gore,
Niagara,
London,
Western.

That from and out of the Rates and Duties now raised, levied and collected, or hereafter to be raised, levied and collected to and for the uses of this Province, in the hands of the Receiver-General, unappropriated, there be granted to His Majesty for the use of Common Schools in this Province, for the year One Thousand and Eight Hundred and Thirty-six, the sum of Five Thousand, Six Hundred and Fifty Pounds, in addition to sums now appropriated by Law, to be applied in the same way and manner and in conjunction with the present sums for Common Schools granted by Act of Parliament, which sum of Five Thousand, Six Hundred and Fifty Pounds shall be apportioned among the several Districts of this Province, as follows, that is to say : To the Ottawa District the sum of One Hundred Pounds ; the Eastern District the sum of Five Hundred Pounds ; to the Johnstown District the sum of Five Hundred Pounds ; to the Bathurst District the sum of Five Hundred Pounds ; to the Midland District the sum of Five Hundred and Fifty Pounds ; to the Prince Edward District the sum of Two Hundred Pounds ; to the Newcastle District the sum of Five Hundred Pounds ; to the Home District the sum of Seven Hundred and Fifty Pounds ; to the Gore District the sum of Six Hundred Pounds ; to the Niagara District the sum of Five Hundred Pounds ; to the London District the sum of Six Hundred Pounds ; to the Western District the sum of Three Hundred and Fifty Pounds.

Warrants.

To be ac-
counted for.

II. And be it further enacted, etc., That the said sum of Five Thousand, Six Hundred and Fifty Pounds shall be paid by the Receiver-General of this Province, in discharge of such Warrants as may, for that purpose, be issued by the Governor, Lieutenant-Governor or Person administering the Government of this Province, and shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury for the time being, in such manner and form as His Majesty, His Heirs and Successors shall be graciously pleased to direct.

Condition.

Provision for
support of
Teacher.

III. And be it further enacted, etc., That during the year aforesaid it shall not be lawful for the Board of Education in each District of this Province to grant any Teacher of a Common School the annual allowance, unless the Trustees of the said School shall make it appear to the satisfaction of the Board of Education that they have made provision for his support, so as to secure him for his services, in a sum at least equal to double the amount which may be allotted by the Board of Education from the Public money, any thing to the contrary notwithstanding.

Allowance to
Clerks.

IV. And be it further enacted, etc., That it shall and may be lawful to and for the Board of Education in each and every District to allow the Clerks of their respective Boards, in addition to the sum they are now by Law authorized to receive, the further sum of Five Pounds annually, during the continuance of this Act.

CHAPTER XVII.

PAPERS RELATING TO VARIOUS EDUCATIONAL SUBJECTS, 1836.

STATISTICAL ACCOUNT OF UPPER CANADA, 1836.

Doctor Thomas Rolph of Ancaster, to whom reference has already been made on page 193 of this Volume, published a "Statistical Account of Upper Canada," in 1836. He was a friend of the Right Reverend Doctor Alexander Macdonell, Bishop of Regiopolis, and accompanied him to England in 1837 to collect funds for the new Seminary at Kingston, (afterwards Regiopolis College.)

Doctor Thomas Rolph was a man of literary and scientific tastes. In his work, he publishes a series of "Thermometrical Observations, taken at Ancaster during the year 1835."

In his "Statistical Account," reference is made, in the following extracts, to the state of Education in various places in Upper Canada :

Glengarry.—The County of Glengarry, which now contains upwards of 12,000 inhabitants, is principally settled by the Scotch and their descendants. The venerable Bishop Macdonell brought over a large number of Highlanders in 1804, who were located in this County. In the Township of Lancaster he commenced the erection of St. Raphael's Church, the largest in Upper Canada ; it is still unfinished, but had he been enabled to have completed it, according to its original design, it would have proved an ornament to the country. It is now a fine spacious building. He has also a Seminary for Ecclesiastics here.

Brockville.—The Town of Brockville contains about 1,200 inhabitants ; there are three churches, Roman Catholic, Episcopal, and Presbyterian, and one Methodist Meeting-house. There is a very superior District Grammar School here, besides a Charity School, under the immediate surveillance of an Episcopal Clergyman, and principally supported by Members of that Denomination.

Prescott.—At Prescott there is a custom house and a very elegant stone building, erected by the Catholic Clergyman, the Rev. James W. Campion,* and denominated the "Grenville College." It is eighty-four feet in length, with two wings, one at either end, forty feet each in length, extending in a fine garden geometrically arranged, and lying between them and a splendid stone mansion he has erected for his own residence.

There are three Common Schools, well conducted, and a Female Seminary. When the "Grenville College" comes into active operation, it will afford them a finished education. In connection with this College or Establishment, there will be a library for general circulation, which will be bought at the public expense, the proprietor supplying a number of miscellaneous works ; the proceeds of the library will be appropriated to the clothing of poor children who will be instructed gratuitously in the College. There is a weekly newspaper, and a monthly literary publication.

Cobourg.—At Cobourg, there is a Seminary, built by members of the Methodist persuasion, in a fine, high and commanding situation. It is four stories in height, 135 frontage ; it is a brick building covered with stucco ; the centre part is surmounted with a cupola.

Toronto.—There is at Toronto, in the Hospital, a beautiful Model of the new University, which is expected to be erected near this City.†

The Upper Canada College is a plain, but spacious Building, or rather series of Buildings, with fine gravelled walks and neat shrubberies in front. This admirable Institution stands a proud monument of the paternal affection which Sir John Colborne felt for the Province ;

* Referred to on pages 193 and 281 of this Volume.

† For reference made to this Model of the proposed King's College Building, see page 222 of this Volume.

amidst every discouragement he persevered, until he succeeded fully in establishing it, and it will doubtless long remain an honour to the Province, and the means of diffusing the highest branches of knowledge to hundreds of her sons. There are several Teachers belonging to it, distinguished for their attainments; and, at the annual examinations, several of the scholars, by their merit and talent, have reflected high honour on the Establishment.

Hamilton.—Besides the District (Grammar) School, Hamilton has several private Seminaries most respectably conducted.

London.—In London there is a first rate Classical and Mathematical School, conducted by Mr. Wright, a gentleman of unimpeachable character and high literary attainments. There is also another Boarding School for the education of females, conducted by Miss Proudfoot, a lady of high accomplishments and most respectable connections. In addition to these, there are several well conducted male and female Schools.

Sandwich.—The Canadians who compose the great majority of the population of Sandwich, are extremely ignorant and have no ambition for educating their children; with the exception of four or five, there is not one among them who can either read or write. The Common Schools are few and thinly attended. The District Grammar School is a useless waste of money, a mere sinecure, and is not in any respect upon a better footing than the worst Common School in the Province.

Observations on the Schools of Upper Canada.—One of the most interesting, as it avowedly is, one of the most important subjects that can occupy the attention of the Province, is the establishment of Schools that will place the opportunities for education within the reach of every father of a family. Observation is the very element of experience, and the proper knowledge of things is the consequence of a persevering and unprejudiced observation. To what, but to those admirable nurseries of virtue, with which Scotland abounds, can be attributed the morality, frugality, industry and prosperity, so generally to be met with in that country. Their Parochial Schools, with School libraries, have made them the honest, frugal, worthy, industrious people they are. It is really melancholy to traverse the Province and go into many of the Common Schools; you find a herd of children, instructed by some anti-British adventurer, instilling into the young and tender mind sentiments hostile to the Parent State; false accounts of the late War of 1812 in which Great Britain was engaged with the United States; Geography setting forth New York, Philadelphia, Boston, etc., as the largest and finest Cities in the world; historical reading books describing the American population as the most free and enlightened under Heaven; insisting on the superiority of their laws and institutions to those of all the world, in defiance of the mob supremacy daily witnessed and lamented; and American Spelling-Books, Dictionaries and Grammars, teaching them an anti-British dialect and idiom, although living in a Province, and being subjects, of the British Crown.

Indians.—Amongst the numberless acts of benevolence with which the Honourable John Henry Dunn's career has abounded, he has undertaken to be the guardian of six youths, carefully selected from amongst the Indians, who are to be educated at that invaluable Institution, the Upper Canada College, for the sacred character of Indian Missionaries.

REMARKS ON THE STATE OF EDUCATION IN UPPER CANADA, 1836.

"A quondam School Master," writing to the Editor of the *Christian Guardian*, in February, 1836, thus refers to his own experience as to the small amount of education possessed by the pupils of the Common Schools of Upper Canada, and the causes for it. He says:

At present the Junior classes generally are very deficient. Where they have attended School, little improvement has been effected; while in some settlements it is utterly impossible to establish Schools. The widely scattered population and many other impediments concurring leave the youth in deplorable ignorance and destitution. . . .

But there are a few evils in connection with the present state of our Common Schools, which it is very desirable to have removed. Some of these arise from the supineness of parents, and others are the result of peculiar circumstances. There is an unfortunate indifference in many on the subject of sending their children, and if they attend such is the laxity of discipline that little or no progress is realized. Parents will not enforce a regular and punctual attendance and often leave it to the option of the scholar whether he goes or not. It is utterly impossible to make progress without a proper and constant application to the duties of the Academy. . . . Another error into which many fall, is disallowing strict and close application of lessons and tasks, and interfering with the discipline of the School. Unless good order

is preserved among the scholars, little advantage can accrue to those who attend. . . . Another evil is, many parents take no pains to ascertain the state and improvements of their children. Weeks and months are suffered to elapse without any enquiry or examination, and the children are thus liable to underrate the value of Education, as well as to forget what has been learned.

One radical defect in the present state of Common Schools is the frequent change of Teachers. . . . This I consider a most unfortunate state of things wherever it exists, and must retard the improvement of children as well as militate against the honourable discharge of the School Master's duties. Itinerant School Masters will never be so valuable and useful as those who are regularly settled—and all friends of Education should do their utmost to prevent such an inconvenient and pernicious circumstance. . . .

Great inconvenience is experienced in many places for want of Books. This might be remedied by Government furnishing Schools on certain conditions, or even gratuitously; holding the Trustees and Masters responsible for their proper use and careful preservation. . . .

It would be a great advantage to the Colony if there was a depot for training masters, and thus provide a regular and good supply of men of character and intelligence, properly qualified for public service.*

* In connection with these utterances of a teacher in 1836, it may be interesting to note the following extract from the letter of another teacher to the same paper, dated the 12th of July 1831. It incidentally, not only describes the kind of teachers that were then too common in Upper Canada, but also deprecates a class of persons who are still connected with our Schools and who prefer "cheap teachers" to those whose services are more valuable and costly. The writer says:

"The ignoramus and the drone should be driven from the field, and none but competent teachers should be employed, and these should be rewarded in a manner commensurate to the value of their services. . . . I believe that there are many teaching in this Province that have never been examined. . . . There is a custom in our land which justly deserves to be reprobated. . . . A few neighbours get together and say, 'We must have a school in our own neighbourhood.' Then to work they go,—pile up a few logs and call it a school house! What next? 'We must have a teacher,—one that we will keep—cheap;—it is worth but little to teach it—if a teacher gets his board and his old clothes washed and mended, he ought to be content.' And with this some, so-called, teachers are contented, and the people are contented with them!"

NOTE.—This criticism on the teachers of Upper Canada on the same subject, in 1831, is quite in harmony with a like opinion expressed in the House of Assembly by Mr. Charles Dunscombe, which will be found on page 37 of this Volume.

CHAPTER XVIII.

EDUCATION OF THE INDIANS IN UPPER CANADA.

On pages 35-40 of the First Volume of this Documentary History, I have devoted a Chapter to the subject of the Education of the Indians.

In that Chapter, I have detailed the efforts made in the early part of the present century by the Reverend Doctor John Stuart, acting for the Society, in England, for the Propagation of the Gospel in Foreign Parts, and by the New England Society, also in England, for the Christianization and Education of the Six Nation Indians, on the Grand River, and in Tyendinaga, on the Bay of Quinté.

Since that time, other religious agencies have been at work, seeking to accomplish the same good work, as may be seen, on reference to pages 122-124 of this Volume. These efforts were necessarily local and circumscribed; but they were the only ones put forth for many years, designed, as they were, to civilize, and thus to better the condition of the Indians. A summary of the work done in this direction in later years is given in an official Report of Messieurs Richard T. Pennefather, (Secretary of the then Governor-General, Sir E. W. Head, and Superintendent-General of Indian Affairs in the Province of Canada), Froome Talfourd and Thomas Worthington, Commissioners appointed in September, 1856, "to investigate Indian Affairs in Canada."

It was not until 1845, that a change in the policy of the Government of Canada, in regard to giving presents to the Indians was made. In that year, Lord Metcalfe, then Governor-General of Canada, arranged "with most of the settled Tribes, that the annual issue of gunpowder should cease," and "that the sum thus saved would be applied in promoting education among them."

The distinguished Governor-General, Lord Elgin, who succeeded Lord Metcalfe, in reporting this arrangement of his predecessor with the Indians to the Home Government in 1849, commended this new movement and policy in words at once far-seeing and statesmanlike, as follows :

. . . It is certain that their, (the Indians',) truest interest require that habits of independence and self-help should be fostered among them, and that the period of tutelage, as much as possible, be curtailed.

With this view, I am disposed to think it advisable that the system of withdrawing from such of the Indians, as can dispense with them, all presents which tend to perpetuate a hunter's life,—of requiring those which have Reserves to make roads through them, and, generally, to assume their share of the duties and burthens of civilization. The setting apart, in the said Reserves, of lots for each family should be persevered in.

I attach, however, more importance to the establishment of Industrial Boarding Schools for the children of both sexes, than to any other measure of this class. . . . I trust that it may soon be in my power to report that these useful establishments have been multiplied in the Indian Settlements, without cost to the Government.

What Lord Elgin here meant by the words: "without cost to the Government," was 'without additional cost to the Government'; for, no doubt, his idea was to apply the moneys spent on useless, if not hurtful presents, (to which he had just referred,) to the establishment and maintenance of Manual Labour, or Industrial Schools among the Indians, some of which were already in operation, under the auspices of the Methodist Conference in Upper Canada.

The allowance for gunpowder, which, as a present, was stopped in 1845, had, in 1851, amounted to two thousand four hundred and sixty-five pounds, thirteen shillings and a penny farthing, (£2,465:13:1¼.) It was then proposed, and assented to by the Government, that one-half of this sum should be divided between the Methodist Industrial School at Alderville, (Alnwick,) and at Mount Elgin, in the County of Norfolk.

In 1858, the Imperial grant for presents to the Aborigines of Canada ceased, as had been previously intimated by the Colonial Secretary on the 15th of March, 1851.

Gradually the duty of providing for the education of the Indians came to be fully recognized by the Government of Canada; also, that the Indians were its Wards, and, as such, had to be cared for as children, not only physically, but paternally; and that provision must be systematically made for the promotion of education, and consequentially, intelligence among them. The result has been that under the new and improved system of administration adopted of late years by the Indian Branch of the Department of the Interior, every effort is being made to establish efficient schools on all of the Reserves, and, at convenient centres, Industrial Schools, for the practical training of Indian children in mechanical arts and trades.*

In addition to the missionary efforts, which were put forth by the Methodist Conference, under the Reverend Egerton Ryerson, and others, as mentioned on pages 122-124 of this Volume, Captain Thomas G. Anderson did good service also.

Captain Anderson was formerly an Indian Trader at Michilimackinac, (Mackinac.) In the war of 1812-1814, he had charge of the British contingent of Whites and Indians at Prairie-du-Chien, afterwards at Mackinac, and subsequently at Drummond Island, Lake Huron, and Penetanguishene.

The *New Dominion Monthly* for November, 1874, in giving a sketch of Captain Anderson, says:

In the course of the winter, (of 1829,) Captain Anderson went to York, at the request of Sir John Colborne, to make systematic arrangements for the civilization of the Indians.

It was then determined that the first establishment for that purpose would be formed at Coldwater, where Captain Anderson built a saw and grist mill, a large School House, (in which Divine Service was held,) also houses for himself and the Indian Chief, besides about fourteen smaller ones for the Indians.

At Orillia, a similar establishment was formed, and, at both places, proper teachers were placed over the Indian children, making great improvement.

* The last Report (1893) of the Indian Department shows that \$218,577 were expended for the Education of the Indians in the Dominion of Canada.

Three years afterwards, Sir John Colborne's ideas were enlarged, and he determined to make a general settlement of the Indians at the Manitoulin Island, with a view of drawing them from the settled parts of the Province to that place. A commissariat store, a store, a church and several other public buildings were erected there. The boys were taught several trades, and the girls were taught to spin and knit.

The Schools and Missions to the Indians, mentioned on pages 122-124 of this Volume, were established for the benefit of tribes of the Mississagua Indians, who, at one time, occupied that part of Upper Canada, lying along the northern shore of Lake Ontario from its eastern end to Lake Erie.

In connection with these references to the establishment of schools among the Credit Indians, it may be interesting to know who these Indians were. The Reverend Doctor Scadding, in an address on the history of the Mississagua Indians, (delivered before the York Pioneers, in August, 1881,) mentions that the whole region just mentioned was ceded to the King, at a Council Meeting held by Sir John Johnson in 1787, at the Carrying Place, at the head of the Bay of Quinté.

This treaty being somewhat informal and incomplete, another Council was held at the Credit, in 1806. The land surrendered by this latter treaty, Doctor Scadding says,

Included the site of Toronto; and on the plan accompanying the instrument signed by the Chiefs, the square patch of clearing round the old French trading post, (Fort Rouillé,) Toronto, is plainly delineated, and it is moreover marked with the familiar name, "Toronto," precisely as we now spell it. . . .

Now, who were the Mississagas? In point of fact, they were the Chippeways, or as we are assured, they should be more correctly styled. Otchipways. . . . They were Chippeways who had strayed down from the north shore of Lake Huron after the dispersion by the Iroquois of the Hurons, or Wyandots, of these parts, and of the neighbourhood of Lake Simcoe. . . .

These Chippeways were called Mississagas, or rather Mississaga-Chippeways, who occupied the region round Lake Superior and elsewhere, and the specific term Mississaga was attached to them because, in the first instance, they hailed from the neighbourhood of the Mississaga River, an important stream which enters Lake Huron from the north. This river enters Lake Huron about one hundred and fifty miles west of French River by several mouths, or outlets;—a circumstance that is implied by its name, the first half of it, *Missi*, denoting "large," in the sense here of "several," as in Missi-sippi, large, or many waters, and the latter half is identical with another familiar word, "Saugeen," which means a river outlet, or estuary, a term which appears also in Nottawasaga—outlet of the Nottaways, *i. e.*, of the Iroquois, called Nottaways by the Chippeways.

The following correspondence respecting the Indians in the British North American Colonies took place in 1836:

Extract from letter of Lord Glenelg to the Earl of Gosford, Governor-General, dated the 14th of January, 1836:

From the Reports in this Department, it appears that not only among the more civilized and settled Tribes, but even among those inhabiting the remote districts of Canada, a strong desire for knowledge has recently been evinced. In Upper Canada, Schools have been established by Societies and by private individuals and are said to be well attended.*

These circumstances, combined with the general docility of the Indian Tribes lead me to hope that a scheme of a more general nature would not fail of ultimate success. I cannot, of course, pretend to enter into the details of such a scheme; it is sufficient for me to impress upon you the readiness and the anxiety of His Majesty's Government to co-operate to the utmost of their power in its promotion. With this view they are prepared, should you think

* See pages 122-124 of this Volume.

such a measure practicable, and, if the consent of the Indians can be obtained to it, to sanction at least a portion of the sums now expended in the purchase of stores and presents, to the erection of School Houses, the purchase of elementary Books, and the payment of resident School Masters, for the benefit of the Indian Tribes.

GLENELG.

DOWNING STREET, 14th January, 1836.

Sir John Colborne, before leaving Upper Canada in 1836, called Lord Glenelg's attention to the fact of the projected establishment of the Indians of the Northern Shores of Lake Huron on the Great Manitoulin Island; and states that

Captain Anderson, the Indian Superintendent at Coldwater, together with a Missionary and School Master will reside constantly at the Indian Station on the Manitoulin Island and will endeavour to civilise the Tribes which may be attracted to place themselves under their charge.

Sir John Colborne further assures His Lordship

That all the Indian Tribes in Canada are collected in Villages and that Schools are instituted for their benefit.

Captain Anderson, Superintendent of Indian Affairs, under date of 24th September, 1835, reports to His Excellency, Sir John Colborne, Lieutenant-Governor, that

Reading and Writing, with a moderate knowledge of Arithmetic, is almost universal among the young people. School Houses, he says, are at Coldwater and the Narrows, (Lake Simcoe) and were built at the commencement of the Establishment, in 1830. Further, he says: The Indian wants instruction. He everywhere appreciates the superiority of the Whites in possessing the Arts of Reading and Writing. He earnestly begs for the benefits of Education.

In reply to certain questions proposed to Mr. Anderson says, under date of the 15th of May, 1837:

The School Teacher selected by His Excellency, the Lieutenant-Governor, for Manitoulin Island has been invariably a member of the Established Church. A School Teacher was sent there for the same period, *i.e.*, the summer of 1836, and was paid out of the Parliamentary Grant.

During the last two or three years, a School Teacher had also been maintained at the Sault Ste. Marie Mission from the Parliamentary Grant.

There is a Missionary and School Master of the Wesleyan-Methodist persuasion at the Alnwick and Rice Lake Settlements.

Four School Masters are attached to the Six Nations Indians, Brantford.

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